Alabama

Crime - 1930

State Turned $176,426 Profit On Convict Labor During 1929

Interesting facts and figures on how the State Board of Administration has met and dealt with the problem of providing useful and profitable employment for convicts after the working of State prisoners in coal mines was abolished at the beginning of the present administration, are presented by Charles A Moffett, president of the board, in a statement prepared by him in response to a request for a review of the board of administration's work along this line thus far. Advertiser

Mr. Moffett in his statement points out that the State Convict Department is now operating 17 road camps with approximately 1,400 convicts; that convicts are now working on projects totalling approximately 250 miles of road and have already built and completed approximately 500 miles of road. He states also that though the working of short-term county prisoners at road building has not been profitable, the convict department shows a net operating profit of $176,426.00 for the year just closed. 1-5-30

Following is the text of Mr. Moffett's statement: Montgomery

Campaign Pledge Kept

"Gov. Graves, in making his canvass for governor, assured the people that if elected he would carry out the oft-repeated promise made by others who had filled this important position, but at that time had never been fulfilled: that is, that he would see that all prisoners were removed from the mines and sawmills and other like employment and in selecting those to handle the department controlling the convict system he selected those whom he felt sure would carry out his promise and immediately after these officers were installed in their positions work was put underway to make good the Governor's promise. Within 60 days all white convicts were removed from the mines and placed at work in the State's cotton mills and farms, and further arrangements were made to remove the balance, or all colored convicts, by June 30, of the following year.

"At the time this board took charge there were 2,876 State convicts. The problem confronting the board was one that demanded a great deal of time and study—that is, what could be done to take care of the largest number of convicts at the smallest initial expense and make them self-sustaining. It was finally decided that, on account of the large expense involved and the possibility of Congress passing a law prohibiting convict-made goods being shipped in other states, it was impractical further to enlarge the cotton mills. It was found, however, that at a relatively small expense buildings and equipment could be obtained to manufacture automobile license plates and road signs. This was done and it has shown a very profitable business for the State.

"It was further decided, on account of numerous convicts being sentenced for distilling, which includes farmers who know very little about farming methods, that we should further enlarge our farm properties. This would furnish employment for a large number of convicts and at the same time give them a chance to see and learn what could really be done on the farm so that they could be obtaining an education along this line while serving their sentence. Therefore, a large acreage was purchased in the best section of South Alabama and a prison erected so that we were in a position to take care of the balance of the convicts removed from the mines in June, 1928. This farm has been further enlarged and in a very short time we can provide for the care of 1,000 convicts, and there is no reason to doubt but that this farm in a few years will be a paying proposition. In addition to these advantages this section of the State will be benefited by people from other states seeing what can be done with these lands and thereby further increase the population.

Put Convicts on Roads

"In addition to the farm mentioned above, and further carrying out the Governor's wishes, the convict department made preparations to begin State road building and the Legislature, to aid in this cause, passed an Act increasing the tax on gasoline. The money obtained was, first, to pay interest on highway bonds and, second, for the purpose of paying for and maintaining roads and for equipping and maintaining convicts in road building, as the necessary road building machinery and equipment would amount to a large sum although it was an asset for the State. The equipment was bought from this fund by the Highway Department, but later, failing to get the consent of the Highway Department to pay for this equipment out of the gasoline tax mentioned, the convict department made a substantial payment to the Highway Department as a reimbursement to them for money previously expended on this equipment, and they will continue to do so until the Highway Department is fully reimbursed for all moneys expended.

"The convict department at this time is operating 17 road camps with approximately 1400 convicts and are now working on projects amounting to approximately 500 miles. We have found road building with convicts not only profitable to the State, but it has given a large number of convicts work which could not have been provided for otherwise, and we are now confronted with requests from numerous sections of the State to locate road camps in their vicinity which proves, with our past experience, that convicts working on the roads have proven satisfactory with the residents along the roads where they are worked.

"It is the desire of the convict department to further increase this work and they are now paving 4 1-2 miles of concrete road, having purchased the necessary machinery for same, and this is also proving satisfactory so that the State need not hesitate in laying hard surface roads with convicts.

Counties Present Problem

"On account of a number of counties leasing their misdemeanor convicts to mining companies, the convict department in addition to other problems,—that is, moving the State convicts from the mines, etc., the Legislature passed an Act requiring the board to take over from the several counties of the State all misdemeanor convicts sentenced to short terms, of which a large number are sentenced to less than 90 days. This was, and is, a serious problem for the board for the reason that it is utterly impossible to handle this class of convicts without a loss to the State, due to the short terms, the expense of sending transfer men to the county-seat, together with the expense of conveying the prisoners to destination and, when their time is out, to furnish transportation home and discharge money. This amounts to more than the prisoner earns while working as a convict. The past year has shown a loss of $51,173.00 This $51,173.00 is a loss to the State but, notwithstanding this loss, the convict department shows a net operating profit of $176,426.00 for the year. This, no doubt, has been to the advantage of the prisoners as they have better care than could be given working under the ease system or being held in some of the jails.

"The board, while working on the problems mentioned above, has not lost sight of the humanitarian requirements of the prisoners and has done all in its power to better conditions existing in the prisons. Strict care and attention is given to all foods and selections made in purchasing to guarantee good wholesome food, and these foods are coked under the supervision and instruction of one who is well posted in same, and the advantage of this can be seen at any of the prison or road camps by anyone who will visit them and see the healthy condition of the inmates and the small number which may be found in the hospitals. The same care is exercised in purchasing clothes and other necessities for the prisoners.

Convicts Get Schooling

"For instruction and education of the convicts, schools are maintained at all prisons under adequate management so that any prisoner has the right and privilege of bettering his education. All prisons and road camps are equipped with radio sets and the prisoners are furnished with football and baseball paraphernalia and are urged to enter into sports of this kind. At Kilby Prison an excellent band has been formed among the prisoners, the State furnishing the band instruments and instructing them.

"The prison population, including the county convicts, has increased from 2,876, as of September, 1926, to 5,000.

"The State Board of Administration, which handled the convict system, would at all times appreciate any advice or just criticism which might be brought before them and the same will have most serious consideration. Unfortunately, some few, and even at times through editorials in some of our newspapers, the board is criticized when, we feel sure, if properly investigated at the time these criticisms would not be forthcoming."

THE GOVERNOR AND A MURDERESS

Several women's clubs have made a vigorous call on Governor Graves to commute the sentence of Silena Gilmore, a Birmingham Negro woman, sentenced to die for murder. She slew a white man. Some of the petitioners say the woman has a deficient mentality, but on the whole they would appear to be stirred primarily by the circumstance that the object of their sympathy is a woman. If she is electrocuted, she will be the second woman in the State's history to be lawfully executed. Several men each year are required to pay the supreme penalty in Alabama, but the women's clubs do not intervene in their behalf. Hence our conclusion that the sex of the Birmingham killer is the cause of the special pleas for her. 1-16-30

Now, The Advertiser does not profess to be sufficiently informed about this case to be clear in its own mind as to just what the Governor, acting for the State, should do about commutation. We are sure that the Governor will give the condemned woman the benefit of every doubt in his mind, that he will weigh carefully the question of her mental fitness; and we are sure, too, that in the privacy of his study he will ask himself: "What would I do were the killer white?" Also the emotional nature of the civilized man is such that, resist it as he may, Governor Graves will nevertheless do as others would do, and ask himself: "Can I let a WOMAN die?"

No citizen will envy Governor Graves his position when the executive sits down to answer these questions. No citizen ever envies a Governor when appeals for executive clemency, especially in capital cases, are presented.

But if men must die for butchering their fellows, The Advertiser cannot see why women should not die for doing the same thing. This newspaper, therefore, wishes to express the hope that the Governor in reflecting on this appeal will take into consideration every factor except the circumstance that the prisoner is a woman. That, in law and logic, is not a relevant circumstance. It is not in the interest of justice and the protection of human life for the State of Alabama to say that only men must die for cruel and heartless murder. So long as we retain the death penalty and it is imposed by oathbound jurors, it should fall alike on men and women.

Silena Gilmore Pays With Life

Negro Woman Executed At Kilby Prison

Selina Gilmore, negro, the first woman to pay the extreme penalty to the State for more than 50 years, died in the electric chair at Kilby Prison this morning. She marched to her death singing and made a brief speech before the current was turned on. Advertiser

"I'm here because of corn and canned heat," she told her audience of newspaper reporters and prison officials. The woman paid the extreme penalty for the murder of P. B. Johnson, Birmingham restaurant operator. Montgomery

Little time was wasted with preliminaries. The final strap was tightened around her and the signal for the current given at 12:05. She was pronounced dead at 12:14. Two charges were sent through her body before doctors declared her dead.

Louis Smith, whose death had been decreed to occur at the same time, won an automatic stay of sentence when a report on his sanity failed to reach the executive office yesterday.

The woman spent most of the day before her execution in hysterical weeping although immediately after her head was shaved yesterday morning, she surprised attendants by coolly asking for a cigarette. She went from the prison barber shop to her cell laughing.

After lunch, however, her fortitude broke, and she fell into fits of weeping. She talked long and earnestly with a Negro clergyman who visited her cell to administer spiritual comfort.

WOMEN HAVE BEEN EXCLUDED IN ALABAMA

Editor The Advertiser:

I notice in your issue of this date you say that if Salina Gilmore is electrocuted at Kilby Prison, she will be the second woman to have been legally executed in Alabama, one having been hanged at Union Springs. You are mistaken about this.

When I was a very small boy, before the

Civil War, I saw a negro woman hanged at Newton, Dale County. Her name was Mariah Harris, a slave who belonged to the Rev. Zackariah Harris, a Baptist preacher and farmer who lived near Ozark. She was executed for trying to kill her master with an axe. Perhaps there are others still living who have witnessed this execution.

Newton was the county seat at the time.

Montgomery, Ala. O. L. MATTHEWS

Negro Awarded $800 Verdict Against Officer

State Man Charged With Beating Plaintiff In Dance Hall

Suit For $5,000

Harry Nelson Admits No Law Was Violated

A jury in Circuit Court here yesterday awarded Thomas H. Williams, negro, $800 damages in his suit against Harry L. Nelson, State Law Enforcement officer, and the Fidelity and Casualty Company of New York. The suit grew out of an alleged attack by the officer on Williams in a negro club March 29, 1929. The plaintiff had sued for $5,000.

Testimony for the negro was to the effect that on the above mentioned night, Nelson, in company with John L. Haynie, another State Law Enforcement officer, came to the negro Elks hall at 118 1-2 North Court Street, and "without provocation" Nelson struck Williams several times on the head and about the face, causing the loss of three teeth and severe lacerations. Williams said on the stand that Nelson struck him three times with his fists and then beat him over the head with his revolver.

The negroes were having a dance in the hall to raise funds for the flood sufferers, it was shown, and about 250 were present. According to several witnesses good order prevailed on the occasion. Attorneys for the plaintiff, Thomas E. Martin and John B. Scott, brought out that a negro trusty at the Capitol, whom it developed later had summoned the officers to the hall, was a convicted murderer sent up from Calhoun County. This negro testified that when the conduct at the dance became boisterous, he telephoned the officers.

Nelson claimed in his testimony that upon receiving reports of a disturbance in the dance hall, he and Haynie went to the place. Upon entering he was met by Williams who asked him what he wanted, he said. Nelson claimed that Williams advanced upon him with a bottle when told that he (Nelson) was going to arrest him. Upon cross-examination, the officer admitted that the negro had violated no law.

Other testimony showed that when Williams protested against the arrest he said words to the effect, "You may kill me, but you'll never arrest me."

John L. Haynie, Nelson's partner in the alleged raid, who, it is understood now is employed in the courthouse, was not present to testify during the trial. He was summoned to appear, it is said.

Judge Walter B. Jones presided at the trial, which opened at ten o'clock and was completed at noon.

Silena Gilmore To Die Tonight

Louis Smith May Get Reprieve Today

Some time after midnight tonight probably about 12:30 a.m., Silena Gilmore, negro woman convicted in Jefferson County of the murder of B. B. Johnson, white restaurateur, in Birmingham will be executed for her crime in the electric chair at Kilby Prison.

Following a report of the State Board of Pardons, declining to recommend commutation in the case, Gov. Graves announced he would not interfere and that he law must take its course. It was stated at Kilby last night that the woman maintains a quiet demeanor and has apparently made up her mind to face her fate bravely.

She will be the second woman legally executed in Alabama since the Civil War, and the first of her sex to be executed by electrocution in the State.

Up to closing time at the capitol yesterday Gov. Graves had not received a report from the special commission of medical experts appointed by him on the Pardon Board's recommendation, to investigate the mental condition of Louis Smith, convicted in Greene County of the murder of a white traveling salesman and scheduled to go to the chair at Kilby early tomorrow morning.

The Governor said last night that if he does not hear from the commission today, he will grant a reprieve to Smith so as to provide further time for the experts to make their report, which he will consider before rendering his final decision.

Graves Dooms Silena Gilmore

Refuses Commutation Of Death Sentence

The fate of Silena Gilmore, condemned negro woman was sealed yesterday when Gov. Graves denied commutation in the case, stating that the law must take its course. She must die in the electric chair at Kilby prison early Friday morning, January 24 for the murder of B. B. Johnson, white manager of a Birmingham restaurant.

The governor's action followed receipt of a report from the State Board of Pardons, unanimously declining to recommend clemency for the woman. The board composed of Attorney General Charlie C. McCall, Secretary of State John Brandon and State Auditor S. H. Blan, stated over the respective signatures of each member: "I find nothing in the record that would justify me in recommending setting aside the verdict of the court in this case."

In the case of Louis Smith, who is also under sentence to die on the same date as the woman, the pardon recommended that the governor appoint a medical board to investigate and report its findings as to Smith's mental condition and that the governor stay execution of the negro's sentence pending this action. Concurring in this recommendation, Gov. Graves appointed Dr. W. D. Partlow, superintendent of the Alabama hospitals for the insane, and Dr. J. F. Sewell and Dr. E. P. Moon of the medical staff of the State Convict Department, who are stationed at Wetumpka, as members of the special board to make the examination and report to him. No stay of sentence was granted, however. Smith is under sentence of death for the murder of B. F. Cawsey, white traveling salesman. The crime was committed in Greene County.

In his order denying clemency in the Silena Gilmore case, Gov. Graves said: "The pardon board finds 'nothing in the record that would justify recommending setting aside the verdict of the court in this case,' I have found nothing in or out of the record that would justify setting aside that verdict. Alabama's law imposes the death penalty upon such murder as was done by this petitioner. That law must be enforced."

Silena Gilmore will be the first woman an legally executed by electrocution in Alabama and the second of her sex executed in this State since the War Between the States. Pauline McCoy, negro, was hanged in Bullock County in 1888 for the murder of a Montgomery white girl.

Doomed Negro Escapes Chair

Smith Adjudged Imbecile; Sentence Commuted

Advised yesterday by members of a special board of inquiry that Louis Smith, condemned Greene County negro, is an imbecile, having a mental age of from four and a half to five years, Gov. Graves issued an order commuting Smith's sentence to imprisonment for life.

Smith was found guilty of the murder of B. S. Cawsey, a traveling salesman, and was sentenced to death Friday, Jan. 24, being set as the date for his execution. Two weeks prior to that time the Governor and members of the State Pardon Board held a hearing at the capitol in connection with the negro's application for clemency. Following the hearing the pardon board recommended to the chief executive that he appoint a board of inquiry to investigate Smith's mental condition.

Concurring in this recommendation, Gov. Graves named Dr. W. D. Partlow, superintendent of the state hospital for the insane at Tuscaloosa; Dr. Fred Wilkinson, Montgomery, and Dr. J. F. Sewell, of the State Convict Department medical staff, to carry out this duty. At the same time he granted a reprieve to Smith, until the board of inquiry should make its examination and report its findings and conclusions.

The experts composing the board, in the report submitted to the Governor yesterday, after stating that in their opinion, Smith is an imbecile of a mental age of from four and a half to five years, added: "His physical appearance, gait and general behavior and attitude confirm this finding."

This report also went to the pardon board which sent to Gov. Graves the following recommendation; referring to the finding of the experts: "In view of the above report, we, the members of the State Board of Pardons, recommend that the sentence be commuted to life imprisonment."

On receipt of this recommendation, the Governor issued his order, stating: "Alabama cannot electrocute an imbecile. I therefore commute the death sentence of Lewis Smith to imprisonment for life."

2 Candidates Denounce State Convict System

Davis And Miller Charge Unfair Competition With Farmers

Want Road Gangs

Uphold Production For Needs Only

By ATTICUS MULLIN

Using the labor of convicts to compete with the farmers of Alabama in raising fruits, vegetables and garden truck, has become an issue in the gubernatorial campaign since Lieut. Gov. W. C. Davis first discussed the matter in his Prattville speech. It has since been taken up by Judge B. M. Miller and probably by other candidates.

Mr. Davis was the first candidate to contend that convicts should not be brought into competition with farmers. He was the first to advocate the use of convicts on lateral roads under State supervision but with the county boards having authority to say where the lateral roads should be built.

Mr. Davis contended in his Prattville and Guntersville speeches that convicts should raise only enough food for themselves and that their products should not be put into competition with farmers. He said that the convict problem required proper classification of convicts so that the dangerous ones could be kept and worked in such institutions as Kilby, that the non-dangerous but able bodied ones should be worked on the roads and the weaker ones worked on the farms.

Discussing working convicts on the roads and taking them away from competition with farmers, Mr. Davis said in his opening speech:

"I have always contended that the desperate or habitual criminal should be kept behind the bars and given plenty of work; the weaker ones should be worked on the farms and in the mills and the others, doing heavy work in the building of roads. For years I have contended that the convicts, as far as possible, should shoe themselves, clothe themselves and feed themselves and that after this is done there will be available a large force for grading the roads and from the others the State can aid the counties by furnishing each county that requests it a substantial crew for using in building lateral roads located by county authorities.

Judge B. M. Miller followed Mr. Davis in his Monroeville speech by advocating working convicts on the roads, allowing them to raise enough to feed themselves, but taking them out of competition with the farmer. Judge Miller pointed to the Atmore prison farm as a menace to the farmer.

Information from the camps of other candidates for Governor is to the effect that they, too, will soon follow Mr. Davis in his advocacy of taking the convicts out of competition with the farmer. This particular phase of the campaign promises to be unanimous so far as the stand of candidates is concerned and no matter who is elected Governor it appears that convicts in the next administration will not compete with the farmers of Alabama.

Crime - 1930

Alabama

State Convict Department's Earnings Drop

Last Fiscal Year Closed With Balance Far Below 1926

Down, $500,000

Shrinkage Reflected On State Auditor's Books

By ATTICUS MULLIN

The Convict Department of Alabama, according to the books of the state auditor had a balance to its credit for the fiscal year ending September 30, 1929 of $63,556.71. For the last fiscal year of the previous administration. 1926 the convict department had a balance of $566,654.36. It is thus shown that the convict department lacked in 1929 over $500,000 of earning what the convict department earned in 1926, the last year of the previous administration.

The books of the state auditor show that the receipts of the convict department in 1929 were $3,845,156.49. The disbursements were $3,781,599.78. In this connection it must be explained that the figures for 1929 as shown by the books of the state auditor are not in line with figures shown on the books of the convict department. The convict department's books show a credit balance of $123,367.84 for the fiscal year ending Sept. 30, 1929. There are many charge and credit items on the books of the convict department which do not appear on the books of the state auditor.

At the beginning of the fiscal year ending Sept. 30, 1929 the Highway Department had complete charge of road work done by convicts. By agreement the Highway Department paid $2 a day for each convict employed on the highways. Working arrangements were not satisfactory to the governor and the system of working convicts on the roads was changed to give the convict department entire control over the convict work. The convict department claims that a saving of $24,000 a month is shown since the new system was inaugurated and exclusive control of convict labor was given to that department. As an evidence of this a comparison is made showing that in March, 1929 Camp "F" with an average of 75 convicts carried a payroll of $4,476.73 and for March, 1930 with convict department in control Camp "F" with an average of 90 convicts carried a pay roll of only $2,190.14. This is a showing of 15 more convicts in camp and a payroll decrease of $2,286.59. However this claim will have to be more carefully checked.

The road work or highway construction done by the convict department is on a contract basis. The convict department submits bids to the highway department on any road project they see fit to handle competing, of course, with general road contractors. Contracts that are secured by the convict department are subject to the same supervision and conditions as would be the case if general road contractors had been the successful bidders it is claimed by the department.

A check of the 16 roads camps and the Perry County gravel pit and Tallassee paving work for the month of February, 1930 shows a daily average of 1,496 convicts employed. Six of the 16 camps were operated at a loss of $20-520.05 while the other camps operated made a profit of $17,732.35 according to the books. Total operating loss for the month of February was $2,787.35. The usual depreciation charges on ma-

One-Third Of Prison Population In Alabama Violators Of Dry Law

5-6-30

There has been a good deal said and printed in recent months about crowded conditions in federal and various state penitentiaries, resulting in the main from commitment of persons convicted and sentenced to penal servitude for violation of one or more of the nation's multifarious prohibition laws.

Though these crowded conditions do not exist in Alabama's prisons, the interesting fact was revealed through inquiry yesterday, that since 1921, the proportion of prohibition law violators sentenced to serve time in state prisons and prison camps of this commonwealth which had its own "bone dry" law long before national prohibition went into effect, has never fallen below 31 1-2 per cent in any year.

It was found too, that of the 1,523 county convicts turned over to the State Convict Department to work out hard labor sentences on road building during the fiscal year ending Oct. 1, 1929, a round 45.5 per cent were sentenced for prohibition law violations; 592 being sent up for violating the prohibition law, 64 for public drunkenness, 28 for driving an automobile while intoxicated, three for distilling and seven for attempting to distill. Figures quoted were obtained from Paul Mozley, chief clerk in the State Convict Department by request.

For the calendar year 1921, the proportion of prohibition violators sent to state prisons and prison camps, was 31.5 per cent of the total commitments during that 12-month period. In 1922, the percentage was 31.7; in 1923 it was 36.7. The next year it was 41.5; the next 39.7 and the next 34.9. For 1927 the percentage was 33.2. There was a slight drop to 32.2 in 1928 which was the year the law went into effect making it a felony to transport five gallons or more of prohibited liquor in this state. Last year, 1929, however, the percentage increased again to 35.7.

Prison Inspecto Finds Crime In State On Wane

1-14-30

Homicides Decrease 100 For First Half Of Fiscal Year

Decline Is General

Arrests For All Offenses Show Decrease

Decrease in commitments to county jails in Alabama of the total number of persons charged with homicide, from 418 for the first six months of the last fiscal year, to 318 for the same period in the present fiscal year, is one of the outstanding facts brought out in a report that has just been submitted to Gov. Graves by Dr. Glenn Andrews, state prison inspector. The report consists of a comparative table of commitments to the county jails for the first six months of the last two fiscal years with observations by Dr. Andrews.

Commitments for crimes of violence of all kinds decreased from 15,541 for the first half of the fiscal year 1928-29, to 14,329 for the first half of the present year. The decrease was therefore 1,212 or seven per cent. The total net decrease for commitments for all offenses, in the six month period ending March 31 this year, was 316 or 1 1-2 per cent. For the half a year ending March 31, 1929, commitments totaled 20,306 for all offenses, which for the corresponding period in 1929-30, the total was 19,990.

There was an increase during the latter period in commitments of white men of 34 white men and 81 white women, and a decrease of 421 negro men and 10 negro women. As to these figures, Dr. Andrews says: "While the increase of commitments of white men is negligible, it is to be regretted, and although the decrease for negro men is only four and half per cent, and that for negro women negligible, it is in the right direction. The increase of 81, or 11 per cent for white women, is both noticeable and distressng."

'Herding' Blamed For Crime

Of the prisoners committed to jails in the first half of the present fiscal year, the report shows that 10 per cent were under 20 years of age and 35 per cent between 20 and 30,—or 35 per cent under 30 years of age. Stating that many theories and deductions are advanced and drawn as to the cause of lawlessness in this country, Dr. Andrews says that:

"A great and unquestionably apparent cause is the herding together of prisoners charged with different offenses, in county jails. First offenders, often youthful and charged with trivial offenses are held in close association with old offenders and hardened criminals who frequently are felons, either awaiting trial or, having been convicted, the result of an appeal to a higher court. These first offenders, though often not really criminals when they entered the jail, emerging with such environment, with the accepted idea on the part of the public that they are made better by their imprisonment, enter readily upon a life of crime and shame, having learned the lesson in the county jail.

"Officials charged with administering the law, and keeping the jails, cannot be blamed for this condition, for they likely do the best they can under the statutes and system governing the jails, and the inadequate buildings provided. The system is archaic and obsolete, with nothing to recommend it, and was discarded more than 50 years ago by the English from whom we inherited it."

Prohi Violators Off

Further study of tabulations of comparative figures contained in the report, reveals that the number of commitments for violation of the prohibition law, shows a decrease during the 6-months period ending March 31, 1930, of 632, or about 10 per cent. However, this offense was the one for which commitments were most frequently made, with 6,374 for the 6-months period in 1928-29, and 5,742 in 1929-30. The next in frequency are larceny, burglary and robbery, these offenses totalling together 2,506 for the 1928-29 period, and 2,438 for the 1929-30 period.

Commitments for offenses classified as assaults and violences, and larceny, burglary and robbery, remain practically the same, while there has been a decrease of 100, or about 24 per cent in commitments for homicides. "This last," Dr. Andrews states in his report, "is highly gratifying, and it is to be devoutly hoped the turning point has been reached, and that the next annual report will show a still greater decrease from this cause."

Concerning the decrease of 517 or 29 per cent in commitments for gaming, the report says: "Of the 1,256 commitments for this cause, for the period Oct. 1, 1929, and ending March 31, 1930, 105 were white and 1,151 were negroes. When occupants of high places, commissioned and professed leaders in moral and spiritual thought, set the example, and go unwhipped of justice, if those of lesser degree indulge in a pleasant and somewhat exciting pastime, they cannot justly be censured."

As To Expenses

It is shown by Dr. Andrews that the total amount paid for feeding prisoners in county jails for the period ending March 31, 1929, was $72,892.44; of this amount the sheriffs receiving $25,302.17, or 34.7 per cent for the preparation and serving of food. It is shown further that for the period ending March 31, 1930, the total amount for feeding was $71,345.84, of which amount the sheriffs received $25,401.46, or 35.5 per cent for service.

Note is made by the State prison inspector of the tendency on the part of governing authorities in a number of counties toward improving the condition of jails, and it is stated that within the time covered by the report, the counties of Butler, Cullman, Lamar, Madison and Winston, have erected new and modern jails, which reflect credit alike upon the authorities and communities. It also noted that in other counties, improvement of existing jails is contemplated.

Advocates Full-time Jailor

Declaring that the necessity for an able-bodied and intelligent jailor, whose duties require his presence at the jail at all times, is obvious, Dr. Andrews states: "The emolument of the sheriffs, especially in the smaller counties, is such as to preclude their employing a jailor, and, hence, when he and his deputy are out in the performance of duty, there is no one left to safeguard the jail. This should not be.

"A statute setting out the jailor's duties, and requiring that his undivided time and attention be given to services at the jail, should be enacted, the sheriff being authorized to appoint such assistant, and the courts of county commissioners or boards of revenue required to provide a reasonable salary to secure a proper man for the position."

CHAIR YAWNING FOR WOMAN AT KILBY

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Negro Who Strangled Montgomery Girl Died On Gallows in 1888

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RECALLS HANGING OF ANOTHER IN 1888

By J. R. McCOY

If Gov. Graves does not intervene through extending clemency by commutation to life imprisonment of the sentence of Silena Gilmore, Jefferson County negro woman condemned to die in the electric chair at Kilby Prison early in the morning of Friday, Jan. 24, and the law proceeds to take its course, no precedent will be established in Alabama.

The widespread myth which heretofore would not down that no woman has been legally executed in this state since the War Between the States, has been exploded by the memory of L. M. C. Ellis, owner and proprietor of the Ellis Printing Company, on Adams Street.

Ellis was an eye witness of the legal hanging at Union Springs Oct. 12, 1888, Pauline McCoy, negro, for the murder of Miss Annie Jordan, 16, of Montgomery.

He could not recall the exact year, but remembered that as a youth and while a member of the Union Springs National Guard Company, he and other members of that organization formed the special guard that accompanied the wagon which bore the condemned woman to the scaffold, located on a small hill about a mile outside of Union Springs, where she was duly executed by the then prescribed legal method of hanging.

Inquiry was made at the courthouse at the Bullock County seat concerning the event, so that the exact date could be established, and it was learned from Circuit Clerk J. F. Hitchcock that the records of the county showed Pauline McCoy was indicted Aug. 15, 1888, tried before Judge J. M. Carmichael on Aug. 22 and sentenced to hang on Oct. 12.

Graphic Account Of Hanging

Examination of the files of The Mobile, Ala., Register Saturday, DeDecember 20, 1930 vertiser revealed a graphic and detailed account of the hanging, the events immediately preceding it, and the story of the crime for which the woman paid with her life. It was revealed also that just prior to the War Between the States a negro woman was legally hanged at Monroeville, in Monroe County.

Pauline McCoy appears to have lost her nerve completely several times before going to the scaffold and after mounting that grim mechanism of destruction, but at the last faced the end in a silence broken only by a last despairing shriek as the trap-door fell and she was hurtled into eternity.

Mr. Ellis, who was born and reared at Union Springs, said he remembered distinctly meeting with other guardsmen at the county jail, and the formation of the procession to the gallows a mile away, the soldiers walking in single file about the officers of the law and the wagon where the woman was seated on the coffin in which she was later buried.

Arrived at the place of execution, he said, he found that several thousand spectators were assembled there from all parts of the county. An enclosure had been erected around the scaffold, this enclosure being made of poles with bagging tacked to them. He saw the condemned only once after she ascended the stairs to her doom, he said. That was when she advanced to the front of the platform, and after alternately singing and praying for some minutes, confessed to killing Miss Jordan, and holding out her hands in a dramatic gesture cried: "I done it with these what God give me." A few seconds later she was dead.

Sang and Prayed

Mr. Ellis remembers as the woman sang and prayed there was a response from many of the negroes in the crowd of spectators—a mournful ululation ending in cries of "Gone to Glory," as the trap was swung and all was ended.

Mr. Ellis is opposed to capital punishment. Whether the experience of witnessing an execution as an impressionable, sensitive boy has anything to do with this, he did not say. As he remembers it, he stated, the woman choked the young white girl to death because she would not give or sell her a pair of red shoes she was wearing.

Miss Jordan, who according to accounts, was subject to mental aberration lapses during which she would disappear from home for brief periods, wandered away one day. She was last seen on a railroad track near the outskirts of Montgomery. Her parents conducted a frantic search for her but no trace of the missing girl was found until her body was discovered some days later near Three Notch. Ala.

Investigators found Misss Jordan had been seen with a negro woman, Pauline McCoy, on the railroad track near the place where the girl's body was discovered. The negro woman was arrested. She at first accused a relative of the crime, but when he proved an alibi, confessed that she strangled the girl to death. It was then found that the clothes the negro was wearing when she was arrested had been taken from the murdered girl's body. Pauline McCoy's indictment, trial, conviction, sentence and execution for the crime followed.

Two other negroes, both men, are under sentence to be executed at Kilby, together with Silena Gilmore, on Jan. 24. They are: Louis Smith, convicted of killing a white man in Greene County, and Roy Lee Miles, found guilty of the murder of J. F. Barbaree, former city marshal of Union Springs.

INSPECTOR HITS RATION SYSTEM AT COUNTY CAMP

Full Meals Favored by Dr. Andrews in Report to Board of Revenue

Convicts at the Albert S. Towle farm are allowed "additional servings" at meals, while those at Camp No. 2, on Three Notch road, are "rationed," according to report filed yesterday with the board of revenue by Dr. Glenn Andrews, state prison inspector. The inspector expressed opinion that convicts should be given food at meals when they ask for it, and should not be "rationed."

Dr. Andrews commented as follows on the inspection of the Albert S. Towle farm: "The supper, which was ready to serve, was well cooked and ample. The custom of permitting the men to have extra servings is satisfactory, and makes it sure that all have a sufficient quantity of food."

At No. 2, however, the inspector found that food is "rationed" to the convicts. Dr. Andrews asked that extra servings be allowed the convicts.

Mattresses were found "thin and unfit for use" in a number of instances at the Towle farm. Blankets, the report said, were also thin and soiled. The report said that the commissary and store rooms contained a sufficient amount of food.

At the farm the "punishment record" from February 22 to November 24, 1930, showed that 11 negroes and four white men had been in solitary confinement, ranging from 5 to 48 hours. One negro, the report said, was in confinement for the second time.

"No whipping was recorded and none had been administered, so the convicts questioned said," Dr. Andrews commented.

Dr. Andrews said that "with few exceptions the mattresses were worn and thin, and many soiled and unfit for use," at No. 2 camp. More blankets were requested for the camp.

BIRMINGHAM, ALA.

Herald

DEC 30 1930

Disenchantment

What a story this is that comes from Montgomery of the negro who, having served 19 years of a life sentence, was paroled for 12 months as a Christmas gift. Three days later he appeared at Kilby Prison, pleading to be taken back. "Times have changed," he explained. "I don't know but few folks in the old home town in Chambers County. All my folks are dead. I couldn't find any work. So if it's all the same to you I'd like to take up here where I left off."

There is profound tragedy in this darky's experience. Here he had for many endless years been longing for freedom, and when it is granted him he finds it without any of the joys he had pictured, without any of the security of the prison routine. The long absence had made him a stranger among his own people. Hard times deprived him of the opportunity to make a living. Perhaps he had lost self-reliance to such an extent that he was bewildered in a world where one does not work under orders.

Anatole France has a story about a poor devil who failed to move on with his cart at the gendarme's command. He was arrested because he was supposed to have used an opprobious expression. Convicted for an offense he had not committed, he found in prison an ease he had never known elsewhere. Released, he sought to renew his business, but with indifferent success. His former customers were sniffish toward a jailbird. Finally in despair, he accosted another gendarme at night and this time used the naughty words for the purpose of regaining the pleasure of a cell. But this time he seemed to be incapable of insulting the uniform, and there the tale ends.

The Chambers County negro was more fortunate in his return to prison quarters. But in other respects, he was motivated by the same desire to escape the hardship of a world which offered liberty but neither companionship nor bread. Stone walls do not a prison make nor iron bars a cage, sang the Cavalier poet to his Althea. But at the same time he spoke for many a convict, disenchanted by his contact with the actualities of the outside. And it was the more modern James Oppenheim who declared that you do not set the slave free by striking off his chains, for only free men can be set free.

Alabama.

Crime—1930

IN BIRMINGHAM JAIL

Negro and White Workers Defy Caste System and Police Terror

By GILBERT LEWIS

Write me a letter, send it by mail;
Send it in care of Birmingham jail.
Birmingham jail, Birmingham jail,
Send it in care of Birmingham jail.

The above lines are taken from a folk song of the south. The first time and place I heard it was two o'clock one morning as several of us drove along the highway to Chattanooga, Tenn. from Atlanta, Ga. where we held a fine mass meeting. The comrade driving the car, himself a southerner, broke into the refrain to keep awake. Someone joined him. Soon all were wailing away, fascinated by the calm, easy rhythm of the thing. Someone spoke of how the Gastonia strikers, facing electrocution for militantly struggling for the right to live, had changed "Birmingham" to "Gastonia" and had sung the number with rousing gusto.

This was the way with the workers, ever changing the name to suit their own locality, ever seeing in the words of the composer a reflection of their own misery. It was this that had made it one of the most popular numbers below the Mason and Dixon line.

The next time I heard the song was in Birmingham jail. A fellow prisoner, sitting on his bunk playing solitaire, hummed it softly to himself.

Capitol Park in Birmingham is Woodrow Wilson and white supremacy. Negroes passing through this park find it necessary to keep moving. Under no circumstances may they stand around or sit beneath the shady trees, no matter how hot the day or how tired they may be.

A short time ago a joint meeting called by the Communist Party and Trade Union Unity League to protest lynching assembled in this park some two hundred white and four hundred Negro workers, the latter already sufficiently rallying to the program of the Communist Party to hurl a certain defiance at their age-old oppressors. Also among the audience was no small amount of plain-clothed "dicks," harness bulls, high officials of the Klan and high city and state officials.

They did not like the presence of Negroes in the park but said nothing. The white speaker for the Communist Party spoke for one hour, an hour in which the system of race and class oppression was picked to pieces with minute care and laid bare for all workers to behold.

Then suddenly a Negro speaker was introduced. Not merely a Negro speaker, but one who incidentally could speak. Straightway he began to attack the premise of white superiority and the Ku Klux Klan, the latter having only a few nights before paraded through the Negro sections of the town terrorizing the workers. Pandemonium reigned. The bourgeois bastards couldn't sit still. It was not enough that Negroes had come into the park, it was not enough for a Negro to speak in the park, it was not enough for him to attack the klan . . . he had dared talk about social equality!

The bourgeois mind at work: White supremacy was being threatened. It was alright for a white man to talk about social equality . . . if he wanted to sleep with a "nigger wench" that was his business. Bu ta Negro . . . demanding the right to sleep with a white woman! And with four hundred Negroes listening to him. Something had to be done. It took them ten minutes, however, to make up their minds as to what, for after all the four hundred Negroes looked formidable indeed!

Finally, he police on a signal from the head of the Klan, smashed the meeting. Two white organizers, the Negro organizer and two Negro workers were arrested!

"523-C. Dangerous and suspicious! Held for investigation!" This was the charge on which we were held. It mattered not that we had committed no crime; it mattered not that we had no connection with thugs and criminals; we were Reds, organizers, advocates of racial equality, advocates of the abolition of wage slavery, advocates of a new

Gilbert Lewis on Chain Gang

system of government. We were therefore dangerous and suspicious. Key-boys, trustees, etc., were not allowed near us, to talk to us. Others could have books, magazines, papers, but we could have nothing, for we were dangerous and suspicious. This is always the charge they place against you when they have no definite charge to make—"Held for investigation!"

There were seven of us in 523-C, an unusually small amount for this cell, with a capacity for about twenty-five. Three of the prisoners had been there for nearly two weeks. There were no charges against them. None would be placed against them. They would simply hold them long enough to make them realize that Birmingham was a bad place for Negroes, especially militant Negroes. Jails, Klan, police terror, swords of Damocles over the heads of the Negro workers. But . . .

One of the three was a coal miner from West Virginia. He had come to Birmingham in search of work in the mines, and had been arrested almost the moment he stepped off the freight. He was a real class-conscious baby, with such a virile, healthy hate for cops, and especially coal and iron police. I sat on the bunk listening to him and thought of what a fine revolutionist he would make!

They were talking about the South and what a helluva place it is to live in. The thing that pleased me most was that none of them wanted to run away, to go north; they wanted to change the south. Most of them had been north and had lost their illusions.

Arrested with us was a preacher, a small, heavy set fellow, with a cropped ear. He had been caught with a Daily Worker in his hand. He passed to and fro in the cell and gave us, in a soft, mellow voice, a splendid repertoire of Negro spirituals.

But Negro spirituals are no longer new in the south, no longer have the awe-inspiring appeal as in the North, and soon some of the boys began teasing him about his flock. "What are they going to do tomorrow, Rev.?" he was asked. "You won't get any chicken this Sunday!" (This was a Saturday), someone else declared.

Across the way was the cell of the women prisoners. From the window in our lavatory we could look into it. There were about sixty girls, arrested for diverse things, but mostly for prostitution, forced upon them, in many cases, by the merciless onslaught of the economic crisis. Under pretense of using the lavatory, the reverend watched them for nearly two hours.

Being in jail was no great punishment for him under these circumstances, but were he removed to another cell from which he could not see the girls undress for the night, I am sure he would have renounced his god! I was unpleasantly reminded of Somerset Maugham's story "Miss Thompson." In it a reverend, subject to years of repression, of failure to fulfill the natural functions of mankind, had set himself the task of bringing about the regeneration of a prostitute only to rape her when she had come under his influence. Souvenirs of capitalism: Somerset Maugham's reverend, our cropped-ear minister.

Mistakes are sometimes made by the Birmingham police. A guiltless Negro legally or extra-legally lynched for an alleged rape only to have the woman confess she lied after his death; a Negro shot to death on a dark and deserted street because of his "striking resemblance" to a cop's memory-picture of a police album character . . . mistake, dire, beastly, frequent . . .

Smaller mistakes are also some-

Birmingham's Rock Pile

times made. My being brought from the city jail to the police station on Monday to be finger-printed after having been photographed and finger-printed on Saturday was also a "mistake."

"What you bring that nigger back here for? We got him Saturday."

"His name wuz on the list."

"Hey, Cole, here's that nigger 'Red' out here."

"Send that black son of a bitch in here."

"Sit down in that chair! 'Round here telling the niggers they is as good as the white pepul."

Employing a rubber hose, after throwing a lighted cigarette in my face, they attempted to impress me with the logic of white supremacy. They failed miserably. With every blow that was placed upon my bare-head I became more convinced that here was a group of men who did not themselves accept the premise of white superiority, but on the contrary, did recognize the potential equality of races and were resorting to such barbarous methods to maintain a position which they

recognized as having no base in actual fact.

Later in the day a charge of vagrancy was placed against me and I was taken to the county jail, the real Birmingham jail. They call it the "big rock." They didn't misname it. It is close, hot and stuffy and between you and freedom there are nine locks. Escape seems impossible, though it is said that a condemned man once got as far as the outer wall. I confess frankly I don't believe it. But even so escape was a long way off as the wall is about twelve feet high and the top covered with bottle glass.

Prayer Meetings And Prison Riots.

Holidays (not Sundays) are exceptions. On the Fourth of July we had roast pork, applesauce and pie, plus vegetables. An unfortunate incident, however, nearly spoiled the day for most of us. A preacher (not the one arrested with me) came down to bless the dinner. He started like this: "Lord, bless this state, bless this city, bless the state officials, bless the city officials, etc," and ended up with a demand that god bless the jail. This remark resulted in a small riot. It was fifteen minutes before the prisoners could be quitted again, and the preacher who had planned to eat with the boys thought better of the matter.

The beds are about what you would expect in any jail. They are not lousy, or at least I did not see any lice, but there is a standing army of cockroaches with numbers and discipline surpassed only by that of the Red Army itself. Their command seems to be to crowl over you at night and keep you from sleeping.

The jail is filled with young workers ranging from the age of 18 to 32. They are charged, with but few exceptions, with very small crimes, petty crimes committed in the act of striving to survive. Theirs is a sort of revolt, a revolt that needs guidance, that needs direction, that needs to be marshalled into the channels of revolutionary struggle against capitalism. Talk with them in their cells and you are irresistibly drawn to this conclusion.

They take you out of the "bull pen" where you are all together and lock you into your small cells every day at four o'clock. The boys then begin singing spirituals, blues, playing cards and occasionally hold church services. The last night I was there they had a prayer meeting—a fine prayer meeting, conducted by a burglar doing a ten year stretch for grand larceny!

Convict Labor's 4-Year Profit Is $1,091,479

Deficit In '30 Failed To Put Department In Red; Most Earned In Mines Last Year

State Finds A Liability In Working Prisoners Sent Up From The Counties

This is the first of a series of articles dealing with the State Convict Department and the State Board of Administration in the Graves's administration. The articles are designed to show the number of convicts, how they are worked, where they are worked, what it costs per capita to work them and a general resume of the financial results for a four-year period, together with the value of the State's property to the credit of this Department.

Net earnings of $1,091,479.43 were realized through the four-year operation of the Convict Department of Alabama by the present administration, as shown by the books of the State Convict Department and Board of Administration.

This showing of net earnings during the four years is in spite of the fact that the last fiscal year, 1929-30, showed a net loss of $79,902.29. The bulk of the net earnings for the four-year period was achieved in the fiscal year 1926-1927 when convicts were worked in the mines. In that year the earnings were $705,774.24. In 1927-28, a study of the books of the Department shows, the net earnings were $326,056.30, in 1928-1929 they were $139,551.18 while in the last fiscal year there was a loss as stated above.

The increase in the unmber of State convicts during the four-year period of the present administration has been phenomenal as shown by the records of the department. In the fiscal year 1926-1927 there was a daily average of 3,209 convicts while for the fiscal year 1929-1930 the average number of convicts each day was 5,034.

The records of the department show that the number of county convicts has grown rapidly during a four-year period. In 1926-1927 the number was 115 while for the 1929-1930 fiscal year the average number was 664. And the county convicts are a dead loss to the State.

The records of the Convict Department show that in 1926-1927 the net loss each day from the State working county convicts was 23 cents while in 1929-1930, the last fiscal year of the present administration the loss was 41 cents per day on each county convict. In other words, as the number of county convicts increased, the loss per day increased. This is due to the fact that county convicts are short term men and cannot be profitably worked by the State.

The books of the Convict Department show that convicts working the State highways netted $120,179.01 during the period beginning June 1 and ending with Sept. 30, 1930. This was the period where the Convict Department worked convicts on the road after contracting with the State Highway Department for the job. During that period an average of 1,480 convicts per day was used on the highways.

High praise has been paid by those who have made a study of the Convict and Board of Administration Departments for the manner in which the books of these Departments have been kept. Every item of cost in working convicts, every item of maintenance of convicts and machinery, every item of depreciation of equipment of the State's road building and other equipment, can be found on a moment's investigation. The books of the Department which is presided over by Charles Moffett and Hamp Draper are kept by Sam J. Cloud and he has installed a system of accounting that makes the work of studying the details of the operations of these two departments an easy one. Mr. Cloud has cooperated with those seeking information through permission of Charles Moffett and Hamp Draper.

Convicts' Work On Roads Nets Profit To State

Earnings Of $120,179 Shown In Report For Period Of 15 Months

Engineers Hired

Experts Kept On Staff Of Highway Department Aren't Used By Boar

By ATTICUS MULLIN

This is the second article concerning the operation of the State Convict Department and deals especially with the work of the department in the construction of highways.

According to the books of the State Convict Department, a net profit of $120,179.01 accrued to the State of Alabama through the use of convicts in constructing highways from June 1, 1929, through Sept. 30, 1930. This is the period in which the convict department has been contracting with the State Highway Commission for highway construction.

The books show that during this period an average of 1,480 convicts a day were worked on highway construction and that 600 miles of road were graded and drained, 340 miles given sand, clay and gravel surfacing, 23 miles of paving without cement and 6 miles of paving with cement.

The cost shown on the books for grading and draining 600 miles of highway is shown as $2,265,957.53. The cost of sand, clay and gravel surfacing of 340 miles of road was $463,790.09. The cost of paving 23 miles of road with other than cement was $206,192.22. The cost of paving six miles of cement highway was $87,848.26.

The books show that the total cost to the Convict Department in its contract highway work was $3,023,788.10 while the contract price with the highway department was $3,143,967.11. In the method of book-keeping used by the department on road contract work items classified in the cost were maintenance and supervision, depreciation on buildings, machinery and equipment, repairs and parts for machinery and equipment, materials and supplies, general operating expense and Montgomery office overhead. A study shows that in the matter of charging for depreciation, the department's system is in line with the most modern and best thought out depreciation practice.

An interesting item on the books of the convict department is "engineer's department expense." Just why the convict department should have an engineering department when the State Highway Department has a small army of these men is not explained in the books of the department nor is it explained in the annual report of the department. "Engineer's department, expense" is set up on the books of the convict department as $55,612.65 for the short period which this expense covers. It is generally understood that there is a heavy salary attached to one of the convict department's "engineers."

As stated in a previous article, the books of the department are kept by S. J. Cloud as chief accountant and they are easy of access, easy of understanding even for a layman and Mr. Cloud and the heads of the Board of Administration and the convict department have been courteous and willing to render every assistance in getting at the items connected with the board of administration and the convict department.

Arkansas

Crime-1930

HELD IN ARK. "FEAR TRIAL"

Two Whites Arrested For Attempts to Intimidate Negro

OSCEOLA, Ark., Feb. 27.—Alleged to have attempted to intimidate a witness, Jerome Jones, colored, in the trail of Robert Bell and Grady Swain, colored, who are charged with drowning and robbing Curtis McCollum, 12 years old, in 1926, W. J. Lanier, prominent Forest City white lawyer, counsel for the defendants, and T. J. Johnson, white, deputy sheriff, were arrested. Hearing will be held here this Friday.

2-28-30

Made Threats

The attorney and officer are alleged to have made two trips to Mississippi County during the past few days to see the family of Jones, who is a witness for the state, first advising them to get the witness out of the state and on the second visit, according to Jones, threatening to kill him or have him killed if he didn't leave before March 5th, which is the date set for the trial of Bell and Swain in Cotton Plant, Ark.

Tried Twice

Bell and Swain have twice been tried, their cases appealed to the supreme court the decisions reversed and the cases remanded for a new trial

Beside drowning McCollum, the pair, themselves, in their teens are accused with drowning Elbert Thomas, 16 colored.

Crime - 1930

Florida

AN AMUSING SPECTACLE

Courier
5-20-30
Pittsburgh, Pa

THE State of Florida is objecting to the continued residence there of that spectacular Chicagoan, Mr. "Scarface Al" Capone. The sheriffs of the various counties have only been prevented from arresting him without a warrant by a restraining order handed down by Federal Judge Halsted L. Ritter while the Grand Jury of Dade County (Miami) has declared:

> "We urge all law-abiding citizens to give their unstinted cooperation and support to all legitimate means to accomplish the end that 'Scarface Al' Capone, his accomplices and their sinister influences shall not continue to be inflicted upon the law-abiding residents or visitors to Florida."

We commend this performance to those who would otherwise have to thumb a humorous weekly for their quota of laughter. If all of this commotion against the Chicago gangster were being raised in some state like Wisconsin or New York, we would be impressed with its justice and honesty, but coming from Florida we can indulge in a quiet chuckle.

Here is a state that from stem to stern is reeking with prejudice against Negroes and openly, boastfully flaunts all of the laws passed to protect the citizen of color. The 14th and 15th Amendments mean as little to the "law-abiding citizens" of Florida as does the 18th Amendment or the Decalogue. Almost everywhere in the state the Negroes are disfranchised, rigidly segregated in inferior areas and institutions contrary to the letter and spirit of even the Florida laws, and yet the white lawbreakers of the state have the effrontery to object to Al Capone living among them!

BULLETIN
SAN FRANCISCO, CAL.

SEP 12 1930

Only Negroes Were Executed

So a Judge Hates Capital Punishment

Judge Daniel A. Simmons of Florida has THIS to say about capital punishment:

> "During the almost eighteen years I have been a circuit court judge of Florida, I have sentenced nineteen persons to the electric chair. I sentenced them to die because I had no alternative, but I am bitterly and unalterably opposed to the state going into the slaying business as a means of punishment. Of the nineteen persons I sentenced to die, eight escaped the electric chair. The eleven who were executed were all NEGROES.
>
> "Only the poor, the friendless, the unimportant are forced to pay the extreme penalty. Murderers need only have small wealth or slight social position to escape the chair or the noose."

And since it is quite impossible, apparently, to abolish wealth and social position and enforce that law fairly, the decent thing would be to abolish capital punishment itself. It does NOT prevent murder, and in Florida, it accomplishes merely the killing of friendless negroes.

Crime-1930

NEWS
CHATTANOOGA, TENN.

JAN 3 - 1930

The Homicide Belt

PERHAPS not in recent years has a holiday season witnessed so many violent crimes in the South Central states as the Christmas season of 1929. We have no reliable statistics on the number of murders and homicides which have occurred—possibly all the bodies have not been counted—but even the most casual reader of the newspapers must have noticed that the toll of violence was abnormal.

The South has reduced the number of lynchings which have blotted its record, but we continue to constitute a homicide belt which exceeds in the number of violent crimes any other part of the country. We may as well realize that fact and admit it. When the truth is charged against us, there is no sense in denying it. We should seek to remedy the situation.

Memphis has been called the "crime capital" of the world. Such a reputation for the largest city of Tennessee and one of the finest cities of the South damages the entire state. Memphis contends that the homicide statistics which have given that city such a reputation are unfair—that they are based on hospital records. Persons who are shot or stabbed in the cotton plantation regions of Arkansas and Mississippi are sent to Memphis hospitals. When they die, the homicides are charged to Memphis, it is contended. Undoubtedly that is true to a large extent. Yet the homicides which occur in Memphis city limits reach an alarming total. They are not, however, much higher than the totals in some other Southern cities.

The ten cities of the United States which had the highest homicide rates per 100,000 population in 1928 were all Southern cities. And a number of these cities closely approach Memphis in totals. For instance, in a recent year when Memphis had 60.5 homicides per 100,000 population, Birmingham had 54.9, Jacksonville, 52.6, Atlanta, 45.1, and Little Rock, 37.9. The homicide rate for the country as a whole in 1922 was but 8.4 per 100,000 and yet that was five times the rate of Australia and the Province of Ontario, whose rate was 1.6. The homicide rate for Japan averages around 0.8 per 100,000, that of England and Wales, 0.5. In Scotland for 1923 the rate was but 0.2 per 100,000.

Most of the homicides in Southern states are among negroes and in a majority of these cases negroes are the victims and negroes are the killers. These homicides can be reduced if the South makes up its mind to punish negro killers of negroes as severely as it punishes white slayers of white persons. Education and betterment of the conditions under which the negroes live also will improve the situation.

There is another phase to which we should not blind ourselves. In 1929 a Florida white man was sentenced to the electric chair for killing a negro. The fact that this was the first case of its kind on record in the state was heralded to the world. The New York *Nation* charges that "a murder of some kind occurs in the Birmingham district every three or four days." It records the case where Matt Lucas, a negro employe of the Tennessee Coal, Iron and Railroad company, who had "talked back" to his bosses was hunted down at his home and pumped full of lead. A deputy coroner turned in a verdict of "justifiable homicide."

Not until the South begins to treat a murder as a murder, regardless of the race, color or creed of the victim will the high homicide rate be decreased. A part of the responsibility for the outrageously high homicide rate in the Southern states is due to negligence and indifferences on the part of the machinery of the law.

The South, smugly, year after year, permits this situation to exist. We talk glibly of the "foreign crime" elements in the big cities of the East. Our own homicide records dwarf those of the big cities. Chicago, for instance, has a homicide rate of about 15.8. We have no foreign crime element in the South but many large Southern cities have twice or three times as heavy a mortality from homicides as Chicago.

Does the South intend clearing its records of this annual stain? We believe we have indicated some of the steps which must be taken. A public which must have been sickened by the crime over the holidays should recognize that it has the power to bring about relief.

General.

4,660 Colored Men---1338 Women Arrested Up To December 1st

1-4-30 Louisville, Ky.

Five Black Men Killed By White Cops

The record of the police department of the year 1929, from January 1st to December 1st states there were 18,362 arrests made in that period, about 3000 less than the same period in 1928. Of that number there were 4,660 Colored men arrested and 1,338 Colored women arrested. There were only 1,390 White women arrested despite the fact there are five times as many white women in the city than there are Colored women.

There were 47 murders committed in the same period. Of that number 31 were Negroes murdered by Negroes, 12 were whites murdered by whites; 4 Negroes were killed by White police officers; one white, a policeman, was killed by a Negro. Since December 1st, one Negro, Walter Cox, was killed by a police officer last Saturday.

Capt. M. Rey Yardberry, now Major Yardberry, Chief of detectives, gives as the reason for the decrease in killings and shooting serapes, the passage of an ordiance, he fathered, which made the window display of revolvers and ammunition illegal and also demanded that the sellers of firearms record the names and addresses of purchasers. Also a permit has to be secured from the proper authorities to purchase and carry firearms.

The Chief can have the credit for securing the passage of these ordinances, but long before Major Yardberry ever became Chief of detectives The Louisville News protested against the display of pistolss in pawnbrokers' windows on the ground that such display encouraged crime and shooting scrapes.

ERIE, PA.
TIMES

MAR 24 1930

America Leads in Crime

THE most lawless land in the world is America. This unpleasant fact comes as a shock to us whenever the truth is brought home with a fresh compilation of crime statistics.

Dr. Frederick L. Hoffman, the Prudential Life Insurance company's statistician, has published the new edition of his annual annlysis of the homicide records of 141 American cities with a total population of 38,000,000. It shows that the rate of death by violence has doubled in 30 years. The average rate of homicides in 1929 was 10:5 per 100,000. That compares with the latest figure for England and Wales of 0.5. We are more than 20 times as lawless as the English.

Why?

Prohibition is an important factor, according to Hoffman:

"By common consent the enforcement of prohibition has brought into existence an organization of crime and criminals such as no other country on the face of the globe has ever known. The enforcement of the law itself has created a large number of violent deaths classified as homicides."

Drys, of course, do not like to face this fact. Nevertheless no amount of denial can obscure the truth, of which there is common and constant evidence apart from this and other statistical studies, that prohibition is a major factor in our high homicide rate. To be sure, it is not the only factor.

But what the other causes are, is very difficult to determine.

A frequent explanation of American lawlessness, is our "frontier" mentality and habits. Whatever validity such an explanation may have had in the past, it has little or none today. Anyway the point of the Hoffman figures is that homicides today are double the rate of 1900, when we were nearer the wild west era.

A second common explanation is the melting pot. Recent incomplete studies, however, show that immigrant groups furnish less rather than more of their proportionate quota of American crime. Again if this were a major factor, the crime index should have been going down since immigration restriction; while in fact it has gone up. Finally, Canada which has a larger immigration ratio to population than ours, has a homicide rate of only 1.3 compared with our 10.5.

A third explanation is our negro population. The 10 cities with the highest homicide rate were all southern; ranging from Memphis with a rate of 66.8 and Birmingham, 51.4, to Covington with 28.8 and Houston 27.6. Hoffman explains this high southern average "is to be found in the habits of gun toting"; for instance the proportion of homicide deaths by firearms was 76.8 per cent. in Memphis and 72.6 in Birmingham, compared with 48 in Boston.

Admitting for the sake of argument that the negro population raises disproportionately the southern homicide rate there are several reasons why alleged negro lawlessness cannot be the major factor in the national crime average. For one reason, American cities with negligible negro populations have much higher crime rates than comparable foreign cities. For another reason, northern American cities having higher than average proportion of negro population, such as New York, have a lower homicide rate than the average city.

Thus we are driven to conclude that of the many causes, which are responsible in small or large measure for America's barbarous homicide rate, prohibition is the major cause most apparent.

Herald
HAGERSTOWN
MARYLAND

MAR 26 1930

Murder and the Law

Last year in thirty-one American cities one out of every 10,000 inhabitants was a victim of homicide. According to Frederick L. Hoffman, our chief authority in this field, the urban rate for about 40,000,000 Americans was 10.5 per 100,000, as compared with 1.3 in Canada and .5 in England and Wales. It is our comparative national showing that is important and not our internal fluctuations. A rise in New York City's murder rate from 5.7 in 1928 to 7.1 in 1929, while something to think about, is not a subject for generalization. Much sharper variations have all the time been occuring in our cities. It is the long-time trend that matters, and such permanent factors as, for instance, the evil pre-eminence of the cities of the South, with a sustained murder rate for Memphis, Birmingham and Atlanta almost ten times the rate for Boston, New York and Philadelphia.

Mr. Hoffman believes that prohibition is a factor in the homicide rate. A factor, perhaps, but not very outstanding. In the year 1900 the homicide rate for big American cities was 3.4 per 100,000. By the year 1908 the rate had risen steadily to 8. Around that point it hovered during the next ten years. In 1928 it stood at 8.5, went up to 9.3 in 1921, and since that year has risen another point to approximately 10. It may be argued that the long pause between 1909 and 1920 marked the stabilization of a murder rate which had been rising swiftly before, and that prohibition came along to give it a new start. But in absolute figures the increase since 1920 has not been large, and in percentages it is even less impressive. Without prohibition the murder rate nearly 300 per cent, whereas since prohibition it has gone up less than 0 per cent.

The responsible factors are much more fundamental. There is a good deal of truth in the often cited turbulence of a frontier people and an unruly democracy. That is why our murder rate as a whole is twenty times that of great Britain. The frontier habit of gun-toting persists, in varying degree, everywhere. It is also true that the regional composition of the population affects the murder rate. Homicide flourishes among the Negroes of the South. But it remains to be explained why Philadelphia, with a large Negro population, had in the year 1914 only one-fifteenth the murder rate of Memphis or Birmingham. The frontier conditions of a rapidly growing industrial city affect the murder rate. This would explain the increase in Detroit during the fifteen years of its extraordinary automobile expansion.

These factors are in themselves not primary. The underlying explanation is the attitude toward murder by the community as expressed in the vigor with which the law is invoked and punishment sought. If the feeling in Birmingham or Memphis about homicide among Negroes were as strong as in Philadelphia, the homicide rate in Southern cities would soon show a decline. In rapidly growing industrial cities a less complaisant attitude to homicide as an "essential" of big, booming factory populations would probably slow up such a pace as that set by Detroit in the matter of taking human life, wih a homicide rate of 6 in the year 1914 and a rate of nearly 20 in the year of 1925.—New York Times.

Law Enforcement Body Studies Negro Crime

That more complete information on the economic and occupational factors in crime among Negroes may be available, the National Commission on Law Observance and Enforcement has authorized a preliminary study of these factors. The study will be made by Ira De A. Reid, Director of Research of the National Urban League.

Independent
4/10/30
Atlanta Ga.

The proposed study will be a preliminary analysis of the data available from published and unpublished material on the subject, and will include an outline of special inquiries which might later be undertaken by the Commission or by other individuals or organizations.

Miss Mary van Kleeck, Director of Industrial Studies of the Russell Sage Foundation, Consultant for Economic Inquiry on the Commission, and Chairman of the National Interracial Conference is the consultant for this study.

Crime-1930

General.

CRIME MUST BE CURBED

The thoughtful leadership of both races, north and south, are thoroughly agreed on the fact that lynching and mob activities make up the most despicable, cowardly and unwarranted class of crime. The outspoken manner in which white leaders have sounded a warning that lynching must stop and the denunciatory terms used in editorials dealing with the mob situation appearing in leading daily newspapers of our country will certainly have telling effect in the way of putting a stop to this growing evil.

Another phase of the situation that has come to light during the past few months is the determined manner in which Negro leaders themselves, are warning the criminal element of the race that they must desist from conduct that is serving to incite mob violence which brings the entire race into bad repute. While these leaders declare that there is no excuse for the mob and no earthly reason why men should take the law into their own hands when a crime is committed, editors as well as other Negro leaders are making it plain, in emphatic terms, that Negroes themselves must observe the law. East Tennessee News

A front page editorial appearing in the Cincinnati Union, written by Editor W. P. Dabney, an outstanding publisher of this militant newspaper for near a half century, sums the situation up in true form when he writes: 8-28-30

The fiendishly brutal rape of a woman and murder of her escort by three Negroes in Marion, Ind., have done more damage there to interracial harmony than can be remedied in twenty years. Such crime loses us thousands of friends and places a stigma upon children yet unborn. That white men commit such crimes is neither extenuation nor palliation for us. Our race is on trial, and theirs, all powerful, is our Judge. Lynching is absolutely wrong, for a mob, even unfrenzied, is incapable of either establishing or protecting innocence. But we should not so devote ourselves to condemnation of the lynchers, that we forget the atrocious deed that engendered them. Suppose this country was controlled by blacks as it is now dominated and controlled by whites. Suppose three young white men found a young Negro and a young lady on a lonely road sitting in an auto. Suppose the three white men brutally shot to death the young Negro man and then raped the young Negro girl! Is it too much to say that wherever the news reached, hatred of white men would follow? We have laws! They must and should be obeyed. Lynching cannot and should not be tolerated, but since human nature contains much of the tiger, we colored citizens everywhere, must seek to eliminate the effect by destroying the cause. We are "Our brother's keeper." In this city a few years ago, several young colored men committed a worse crime. Thanks to the press, authorities and the condemnation of the crime by colored people, the young men went to prison, instead of to an unlawful death. A repetition of that and other crimes may come at any time, for hundreds of idle, loafing, ease-loving Negroes, daily and nightly, crowd certain streets even when work is plentiful. What are we doing about it? Nothing! Sleeping over a volcano! It should be an easy matter for the thousands of preachers, teachers, professional and business men to form an organization to teach, instruct and help the idle men and worthless women to realize that their hands hold our honor and our lives.

Then in the issue of the Star of Zion, old established church organ published at Charlotte, N. C., and edited by Dr Davenport, he writes:

The artrocious outrage of two small girls by a Negro youth, as alleged, has been avenged by a lynching—the circumstances of which besmirch the fair name of the Old North State, and the people of Tarboro.

We do not believe all we read in the papers about assaults or attempted assaults for we are led to accept that many of them are frame-ups or the result of unexpected discovery. But there seems to be no doubt of the guilt of the miserable wretch lynched at Tarboro.

What is the cause of this apparent wave of sexual crime; of these wanton outrages against womanhood? Who is to blame? If it is not checked where will the end be? We are sure lynching will not end it; the anarchy and mob rule will not destroy it.

It is therefore up to the Negro to rid himself of the criminal and undesirable elements among him if he is to retain the respect and good will of those among whom he lives. The criminal element should neither be sheltered nor defended and the sooner we realize this, the better.

The contention is not waged in an effort to curb crime alone which involves members of the two races, but crime, wherever it lurks must be curbed. Negroes kill and wound Negroes in far too large numbers. Hardly a day passes but that officers of the law report the shooting or cutting to death of some Negro by another Negro. It sometimes appears that the law is entirely too lax in dealing with this class of crime.

Crime must be suppressed whether it is in the form of lynching or the slaying of one person by another; whether it is stealing or fighting, there must be a greater respect for law and order and it is up to the leadership of both races to curb the activities of the criminal element.

CRIME INCREASING, SURVEY INDICATES

Upward Trend In Almost Every Type Of Offenses Shown By Bulletin

Associated Press 9-27-30 Montgomery Ala

WASHINGTON, Sept. 28.—(AP)—An upward climb in the volume of crime, from murder to petty theft, was shown today in the first bulletin of a crime survey covering 772 cities in 44 states, supervised by J. Edgar Hoover, chief of the Department of Justice Bureau of Investigation.

The bulletin covers in statistical form all "offenses known to police" from January to August and showed an upward trend in almost every type of crime.

The increase in criminal activity for August was listed by the Hoover bulletin as "slightly less than 10 per cent" over July figures previously tabulated by the International Association of Chiefs of Police.

No returns for New York City and only partial returns from Chicago were listed in August report. With these cities eliminated Detroit was shown to lead in the volume of crime, with 2,280 reported offenses. Los Angeles was next with 2,183; Cleveland third with 1,645; San Francisco fourth with 1,503; St. Louis fifth with 1,323; Philadelphia sixth with 1,243; and Newark seventh with 1,117.

The partial figures for Chicago showed 39 murders had been reported there last month, or three times as many as were known to have occurred in any other of the major cities. A total of 13 murders was reported for Philadelphia, with Detroit and Cincinnati having 11 each. Cleveland was shown to have had 10 murders during August; Jacksonville and New Orleans nine each; Chattanooga and San Antonio eight each and Baltimore seven.

Analysis of the types of offenses disclosed petty larceny accounted for 43.6 per cent of the total; automobile theft 25 per cent; burglary 19.9 per cent; larceny of sums over $50 slightly over 9.0 per cent; robbery 5.3; aggravated assault 4.6; murder and non-negligent manslaughter .6; rape .5 and manslaughter by negligence .4.

Figures for the police protection afforded various cities showed the average to run about two policemen to every 1,000 citizens. Palm Beach was shown to be the best policed city, with 19 policemen to every 1,000 persons. The little city of Kinsley, Kan., came at the bottom of the list, with one policemar for 4,546 residents.

PRESIDENT HOOVER TO BE COMMENDED

President Hoover ought to be commended and whole soully supported for the condemnation of crime throughout the nation and his condemnation of the states which seek to evade the responsibility of law enforcement by calling on the Federal Government to prosecute violators of income tax

The duty of the state to protect the lives and property of its citizens should not be shifted or excused by the Federal Government shouldering the responsibility of convicting criminals of federal offenses.

In the course of his remarks, His Excellency said:

"Every single state has laws to meet the situation," he said. "What is needed is enforcement, not more laws

"The report that I am proposing to Congress any extensive enlargement of the criminal laws to cover racketeering is untrue," the President said. "Any suggestion of increasing the federal criminal laws in general is a reflection on the sovereignty and the stamina of state government.

"The federal government is assisting local authorities to overcome a hideous gangster and corrupt control of some local governments.

"But I get no satisfaction from the reflection that the only way this can be done is for the federal government to convict them for failure to pay income taxes on the financial product of crime against state laws.

"What we need is a more widespread public awakening to the failure of some local governments to protect their citizens from murder, racketeering, corruption and other crimes, and the rallying of support to the men of these localities who are today making a courageous battle to clean up these places."

Crime-1930

General

TRIBUNE
CONCORD, N. C.

JAN 15 1930

SOUTH LEADING IN HOMICIDES.

"The South has reduced the number of lynchings which have blotted its record, but we continue to constitute a homicide belt which exceeds in the number of violent crimes any other part of the country. We may as well realize that fact and admit it. When the truth is charged against us, there is no sense in denying it. We should seek to remedy the situation." This is not the criticism of any "outside" censor. It is the deliberate warning of a prominent Southern newspaper of standing and influence.

Memphis has been called the "crime capital" of the world. This city, the largest in Tennessee, in self-defense urges that the crime statistics are based on hospital records, that many victims of stabbings or shooting on the cotton plantations of Arkansas and Mississippi are brought to Memphis hospitals, and that resulting fatalities are charged up to the city. There is much truth in this explanation; yet the number of homicides that occur in the city limits of Memphis is unduly high, but not much higher than the totals in some Southern cities.

The ten cities of the United States which had the highest homicide rates per 100,000 population in 1928 were all Southern cities. When Memphis had 60.5 homicides per 100,000 population, Birmingham had 54.9, Jacksonville 52.6, Atlanta 45.1, and Little Rock 37.9. The homicide rate for the country as a whole in 1922 was but 8.4 per 100,000 and yet that was five times the rate of Australia and the Province of Ontario, whose rate was 1.6. The homicide rate for Japan averages around 0.8 per 100,000, that of England and Wales, 0.5. In Scotland for 1923 the rate was but 0.2 per 100,000.

These tatistics bring from the Winston-Salem Journal the timely questions: "What is the South doing to correct this situation? Is it doing anything? Is it doing all that it could do? The remedy is not in pointing to the crime in Chicago —which is much less in proportion to population than in many Southern cities."

The problem is one for the South to decide. We can shake our heads in wonder at crime reports in Chicago, but that doesn't erase any of the black marks from our own record. What are we doing to improve conditions in the South?

NEWS
BAYONNE, N. J.

FEB 2 1930

WHO FILL OUR AMERICAN PRISONS?

Whatever their cause, the serious riots which have lately swept through so many of our prisons have not resulted from the presence of an undue proportion of foreign born criminals.

The recent report of the Census Bureau embodying the results of the ninth enumeration of prisoners in State and Federal penal institutions, disproves once again the ever recurring contention that the jails of America are filled with foreign born. The report covers 92 Federal and State prisons and reformatories—out of a total of 99—and presents detailed data for 43,328 persons convicted and committed to them in 1926. Only 4,231 or 9.8 per cent of those prisoners were born abroad. Nor is the proportion of foreign born appreciably larger if Negroes, Chinese, Japanese, Indians and also Mexicans are excluded—of the 32,743 white prisoners our immigrant population contributed 3,413 or 10.4 per cent.

Is this an undue and excessive proportion? How do these percentages compare with the proportion of foreign born people in the country as a whole? As no general population statistics are available for 1926—the most recent source being the recennial census of 1920—an accurate comparison is impossible. In 1920, however, the foreign born constituted 13.2 per cent of our total population and 14.5 per cent of our white population. While the percentage of foreign born persons in the general population has probably been decreasing since 1920, owing to the restriction of immigration, it can hardly have fallen as low as 9.8 or 10.4 per cent in the six years following the 1920 census.

ATTY. GENERAL MITCHELL MEETS NAACP PRISON OBJECTIONS

Follows Result of Conference With Supt. of Prisons

New York, Feb. 14.—William D. Mitchell, United States Attorney General, has written to the National Association for the Advancement of Colored People, confirming the result of a special conference held in New York by members of the N. A. A. C. P. Board of Directors with Sanford Bates, Superintendent of Prisons. The conference concerned the NAACP objectins to the proposed boarding out of federal prisoners in southern states, and particularly to the segregation of colored prisoners involved in this practice.

At the conference the NAACP Board members told Mr. Bates of their objection to proposed legislation enlarging the Federal Prison system. Of this, Attorney General Mitchell writes to the NAACP:

"I understand that the feature of the legislation to which you objected had to do with the assignment of persons convicted under Federal laws to State and local institutions. I take this opportunity to assure you that in the administration of this feature of the law the Department of Justice and the Bureau of Prisons will use every effort to see that any racial discrimination is avoided, but it would be impossible for the Federal Government to personally accomodate all the short-term Federal prisoners, now numbering over 9,000, in the country, who must, therefore, be housed under State auspices.

Furthermore, with the adoption of the pending legislation if it becomes necessary to relieve congestion in Federal prisons, the Government will then have authority to set up its own prison camps on industrial projects under Federal auspices and there will be no necessity of arranging with the States under the sections above referred to to accomplish this end. It will not be the policy of the Government, therefore, to transfer men from penitentiaries to State or local camps for road or other outdoor work in the future.

"I feel sure that in the administration of the law as it will be amended your Society will have no occasion to complain."

In response to the assurance given The NAACP has written withdrawing ts objections to the proposed legislation.

Federal Prisoners To Construct Highways

Montgomery Advertiser 3-19-30

WASHINGTON, March 18.—(AP)—Two hundred prisoners at the Atlanta Federal Penitentiary shortly will be sent to Fort Bragg, at Fayetteville, N. C., for road construction on the military reservation under an agreement just made between the Department of Justice and the War Department.

The convicts, both white and negroes, are to be employed under direction of the post commander and Federal Prison guards, to build roads and trails on the 122,000 acre Government reservation, for which there are no appropriations available at this time. In announcing the new plan the Department of Justice said the transfer was made not only to lessen confusion at the penitentiary but to furnish healthy work for the men and at the same time accomplish work for which no funds could be found.

Negroes Untouched By Crime Waves

Constitution 4-21-30 Atlanta, Ga.

NEW YORK, April 20.—(AP)—Commenting on reports received by the commission on interracial co-operation, Dr. Will W. Alexander, director of the commission, said today that "the prevailing crime wave seems to have had little or no effect upon the negroes of the south."

"Instead of an increase of crime among this large group," he said, "which comprises 27 per cent of the south's population, there has been very little increase, if any, while in certain states and communities there has been a surprising recession."

In Georgia negroes were 66 per cent of the jail population in 1921. In 1928 they were 55 per cent, Dr. Alexander said, quoting the department of public welfare. There were fewer negro defendants than whites in the state courts of South Carolina in 1929, he added, quoting Attorney-General John M. Daniel.

"Figures given out by the state board of welfare (of North Carolina), said Dr. Alexander, "show that in every year from 1910 to 1920 more negroes than whites were committed to the penitentiary, while since 1920 the reverse has been true year after year."

OBSERVER
Raleigh N.C.
MAR 11 1930

EPIDEMICS OF STEALING

The increase of prisoners who are crowding the State Prison is mainly caused by the crime of stealing, but the epidemic of theft is seen even more fully by the presence of more and more men convicted of stealing who are sentenced to the county chain gangs. And the terrible part of it is that, whereas formerly it was a very rare occurrence to see a young white man charged with stealing, there are now more of them than of the colored race. The following from the Rockingham *Post-Dispatch* shows the prevalence in Richmond county:

> This week ten years ago there were twelve Negroes and one white man on the chain gang of Richmond county. This week there are 102, and they are divided into three gangs. About sixty out of the 102 are Negroes.
>
> In the past ten days the gang has had seven recruits by reason of chicken thievery. A local store and hotel had to give up a bunch of hens bought by them in good faith. It is estimated there have been fully 300 hens stolen in and around Hamlet and Rockingham this month.

OUR APPALLING HOMICIDE RECORD

We Americans have to take our crime record as it comes. We have the crimes and must not object if the statisticians report them for what they are worth.

What of our homicide record? Long appalling, it grows worse. Dr. Frederick L. Hoffman, noted statistical authority, writing in The Spectator, declares that we continue year after year to have the highest homicide record of any country in the world. "My record commences with the year 1900 when the homicide death rate of 31 cities with comparable returns was 5.1 per 100,000 of population," he says. "In 1919 that rate had reached 9.1 per 100,000 while ten years yater, or for 1929, the rate is 10.1."

Dr. Hoffman includes statistics for 13 leading cities of Canada, for the period of 1918-19. "The rate is shown to have decreased from 2.7 per 100,000 at the beginning of the period to 1.7 at the end. . . . No contrast could be more startling than this of a neighboring dominion with conditions practically the same as throughout the United States." During the three years 1926-28 there was only one homicide death in the city of Quebec, in 1927. In the entire province of Quebec in 1928 there were twenty-seven homicide deaths, equivalent to 1 per 100,000 of population.

Prohibition, Dr. Hoffman finds, is a contributing factor for the growing insecurity of human life in the United States. "It is with some reluctance that I touch upon the question of prohibition," he says. "By common consent the enforcement of prohibition has brought into existence an organization of crime and criminals such as no other country on the face of the globe has ever known in the history of the past. The enforcement of the law itself has caused a large number of violent deaths classified as homicides even though convictions were not obtainable in the courts."

Dr. Hoffman emphasizes that the rate for Detroit increased from 16.5 in 1928 to 18.6; "this is in marked contrast to the low rate given for Windsor, Canada, which in 1928 was only 3.8, although the city is right across the river from Detroit."

The statistician takes issue with Roger Babson's views of the relation of motion pictures to crime waves. Dr. Hoffman says he has studied the whole situation and has come to the "conclusion that no such relation as was claimed could be shown to exist." No current crimes are shown on the screen, and the subject is presented from a dramatic point of view, "as it has been presented on the stage from time out of mind." He finds that a "vastly greater menace" is in the so-called crime detective magazines." The stories often are "highly suggestive and highly inflammatory, portraying ingenious methods of crime, suggestive of imitation."

As The Charleston News and Courier says: "The American homicide record is a shameful disgrace for a country which affects to claim that it is a leader among enlightened peoples. The explanation of the high homicide rate in the South does not hold for the other sections of the United States albeit some of the districts insist that immigrant types are to blame. The leniency of the average jury is an encouragement to men who hold human life cheaply. The chances are in favor of the criminal, not of the law. British juries inspire fear of the law against murder and manslaughter, if not respect for it."

The Great And The Notorious

DURING the national mourning period immediately following the death of Chief Justice William Howard Taft, probably a very few people noted the fact that on the same day when ten thousand persons passed through the rotunda of the Capitol in Washington to take the final sad look at the remains of this beloved American, fifteen thousand people gathered around the house in Chicago where lay the remains of John "Dingbat" Oberta, to pay the last farewell to this former gangland chief. 3-29-30

We have not heard how much the casket in which the remains of the former President and former Chief Justice of the United States were borne to their rest cost, but the "Dingbat" went to his final resting place in a casket costing $15,000, which was covered with orchids and followed to the grave by four carloads of flowers. Of Course, Mr. Taft's mourners included some of the highest officials of the Government, as well as foreign diplomats. "Dingbat" was not entirely outdone, however, because he had the advantage of having his funeral attended by five thousand more persons than did Mr. Taft.

The former President had a noble career. The "Dingbat" had an ignoble one, that is according to the way you look at it. It is not doubted that thousands of the gangland chief's mourners, too, idolized him as having had a noble career, or something similar. It is very well known that while these gang captains are considered as outlaws to normal society, they generally are big-hearted and generous with their storehouses among those of their class.

Then, too, there is another aspect to this peculiar coincidence. It is suspected that the game of racketeering is growing in respectability just like bootlegging. It is regrettable, but a fact that many a school kid is today aspiring to be the bootleg king of his community. It seems that we are approaching the time when eminence in bootlegging and racketeering means something more alluring than a life in jail. Just think what a figure the notorious Al Capone cuts, just to have all the cops in town on a lookout for him. It thrills the kids and a lots of old folks, too.

BROOKLYN EAGLE
MAR 29 1930

Murder in the South.

With the wide prevalance of banditry, gang wars and violence so prominently displayed in the metropolitan press it is natural to think of the larger cities as hotbeds of crime. Also that persons of alien birth or blood are primarily responsible for crimes of violence. Quoting from an article by Dr. Frederick L. Hoffman in the Spectator on the insecurity of life in the United States, the Greenville (S. C.) News points out that the ten cities in this country showing the highest homicide rates are all in the South.

These ten cities are Memphis, Birmingham Atlanta, Jacksonville, Lexington, Ky.; Mobile New Orleans, Covington, Ky.; Houston and Charleston. Without attempting to defend this condition, and admitting that the white records are probably heavier than in most of the other cities in the country, the Greenville News nevertheless points out that the Negro population contributes largely to the bad showing of the South in the matter of murders.

This assertion promptly brought from the News and Courier not a defense of Charleston's record but some interesting comparative figures on murder in South Carolina. It shows that while last year seven persons were tried for murder and three for manslaughter in Charleston County there were twenty-seven murder cases in Greenville County in the same period. From 55 to 60 percent of the population of Charleston County is colored; Greenville County is 70 percent white. In Spartanburg County, where the white population is about the same as that of Greenville, there were even more murders last year. There were between 240 and 250 homicides in South Carolina during this period.

These figures are worth considering in any study of crimes of violence. South Carolina has a smaller proportion of aliens than almost any other State. Its largest city has a greater ratio of murders than any Northern metropolis. Yet two other South Carolina counties have many more murders than Charleston. These counties have small Negro populations. The conclusions are inescapable. Murder and crimes of violence generally are not restricted as to race or section. Pure Nordics in backward counties in the South are even more murderous than aliens in congested Northern cities. And fewer murderers are punished.

Crime Wave Has No Effect ON SOUTHERN NEGROES

4-25-30

Less Negroes Than Whites In So. Car. Courts

Savannah Ga.

New York, April 20—Commenting on reports received by the commission on interracial cooperation Dr. Will W. Alexander, director of the commission, said today that "the prevailing crime wave seems to have had little or no effect upon the Negroes of the south."

"Instead of an increase of crime among this large group," he said, "which comprises 27 per cent of the south's population, there has been very little increase, if any, while in certain states and communities there has been a surprising recession."

In Georgia Negroes were 60 per cent. of the jail population in 1921. In 1928 they were 53 per cent. Dr. Alexander said, quoting the department of public welfare. There were fewer Negro defendants than whites in the state courts of South Carolina in 1929, he added quoting Attorney General John M. Daniel.

"Figures given out by the state board of welfare of North Carolina," said Dr. Alexander, "show that in every year from 1910 to 1920 more Negroes than whites were committed to the penitentiary, while since 1920 the reverse has been true year after year."

Crime-1930

General

Common Sense and Chivalry

Amsterdam News 5-21-30

BACKWARD in so many respects, the South is becoming modern in one. The boast of the South has always been its chivalry toward women, its custom of treating them as if they were God's final masterpiece, to be regarded with deference, if not with awe. They were not amenable to law. It was all very old-fashioned and romantic, and women, in the language of the street, "ate it up."

New York, N.Y.

BUT TEXAS and Arkansas recently arrested fourteen women for the alleged selling of liquor. The women pleaded poverty, some were widows, others were mothers or grandmothers, some made the plea that they had to sell liquor to support their fatherless children. The courts were deaf. Four of the women were sent to jail, three are on probation, two await sentence, two await trial, one was fined and only one was acquitted.

THE JUDGE said that 75 per cent of the liquor being sold in Arkansas is handled by women. He said: "The Nineteenth Amendment gives women equal rights with men. Women vote, they smoke, wear trousers and hold men's jobs, yet when they get caught selling liquor they come into court expecting a dress and a smile to bring them immunity. I am through. From now on it's equality for all."

THE JUDGE WAS RIGHT. Women are men's equals before the law and they should be held equally responsible for violating the law. When a woman is tried for a crime that would send a man to jail or the gallows, it is a sorry excuse to say that she did not know what she was doing. More common sense and less chivalry would be a good thing for this country.

RECORDER

Indianapolis Ind.

JUN 7 1930

INJUSTICES TOWARD THE NEGRO

The ruse employed by a Florida white man to cover up the slaying of his wife and child proved a complete failure, notwithstanding the extent of his murderous scheme in slaying a Negro boy-servant and then endeavoring to place the double killing crime on his shoulders. The experienced officers who investigated the tragedy looked upon the slayer's story with suspicion and their determined investigation resulted in his conviction in the court of Florida last week and a life sentence was imposed At Battleboro, N. C., two ex-policemen are under arrest following the shooting of a young man and the brutal treatment of the daughter of one of the ex-officers. The young couple was attacked while out on an automobile ride and the report that they had been maltreatedd by a Negro came first from the father of the woman. Such was the signal for the forming of a mob bent on lynching the first Negro found. When the mob spirit subsided the cooler heads or that section cast a suspicious eye at the individual who first cried "thief" and the two men who had at one time served in the responsible position of officers of the law are now in custody on a charge of having shot the young white man and terrorize his woman companion, all because the father of the young woman had warned him to desist in directing his attentions to her. The true facts in connection with the crime were not disclosed, however, before many Negroes in the vicinity of Battleboro had been maltreated and terrorized.

If there are any reasons for the suppression of mob violence, instances as referred to above should be among those that are sufficient. In a vast majority of the cases where persons accused of crime are punished by mobs, the guilty parties escape and innocent individuals are caused to suffer. There is no system that will ferret out crime and mete out punishment to the guilty more effectively than the courts of our land and when efforts are put forth to employ other methods, the very foundation of our government is threatened.

—THE EAST TENNESSEE NEWS.

MORE PADDING OF OUR CRIME STATISTICS

Norfolk Journal and Guide.

A young couple sitting in an automobile at night on a public highway is attacked, the man is shot, the wound dealt by means displaying skill and powers of speech. The young woman told the police she was raped by two Negroes. Instantly the police machinery of three counties and an armed posse are at work to apprehend the Negroes. After a week of intensive search and examination of nearly a hundred suspects they give up the hunt. Then the father of the young woman and another white man are arrested on evidence strong enough to connect them with the crime. They were subsequently released, but suspicion shifted from Negro connection with the crime. Thus ended another chapter in our crime history in which it is brought out and reemphasized that white America is getting away with a lot of murder for which black America has to pay.

To show that this is no idle deduction here are a few cases in substantiation:

1928. Columbia, S. C.—White woman signs affidavit repudiating testimony which sent Ben Bess, Negro, to prison for life on charge of rape. She admitted framing him. Bess is pardoned in 1929 after serving 13 years.

1928. Atlanta, Ga.—Jim Moore, white, makes death-bed confession of murder for which Jim Richardson, Negro, had been convicted and served 18 years of a life sentence. Richardson is freed.

1929. Centerville, Tenn.—Mrs. Zora Lynn, charged she and two granddaughters, Mrs. Stella Gordon and Mrs. Hattie Plunkett, were attascked by Turley Wright, Negro. Both Mrs. Gordon and Mrs. Plunkett corroborated Mrs. Lynn's testimony. The defense produced two white men, Allen and Abe Beech, who testified they were in company with the granddaughters at a place several miles away at the hour of the alleged attack. All three women then confessed perjury. Prosecuting attorneys quite in disgust. In spite of this Wright was convicted and given ten years in prison! Won freedom on appeal to higher court.

1929. Savannah, Ga.—Lonnie Horne (face black) leaps on running board of automobile and robs its occupants. He is killed when the car passed too near a post. Examination of body reveals that he is a white man, face blacked with charcoal.

1929. Norfolk, Va.—Mrs. Blanche Corrigan is attacked and severely beaten in her home by man whose face is black. In the strugggle she tore open the man's shirt and discovered that her assailant was a white man with face blacked. Assailant was not caught by police.

1930, Florida.—William R. Carver, white, reports to police that Ben Whitehead, Negro, entered his home, killed his wife and child, and was inturn killed himself. Coroner's jury exonerates Carver. Insurance company steps in and investigates. Result: Carver confesses that he killed his wife, his baby, and the Negro. Carver got life imprisonment.

1930. Dave Brockington and Dave Locke, Negroes, arrested on suspicion of having murdered Mrs. Stephen English, white. Officers declared the Negroes confessed. Lynching is narrowly averted. Men produced perfect alibi, are acqquitted, and suspicion is fastened on husband of woman.

1930. Houston, Tex.—White woman charged that Isaac Pugh, bellboy, attacked her. Later confessed that she invented the charge in order to invite sympathy and bring about a reconciliation between her stepfather and her mother.

1930. Fort Worth, Texas—A. P. Boyd and John Alsup, white, frame Will Tate and George Terrell, Negroes, in attempted daylight bank robbery in order to collect $5,000 reward.

1930. Jackson, Miss.—Illinois Central railroad posted reward of $3,000 for arrest and conviction of person or persons responsible for two wrecks. One Godwin, "private detective," arrested Oliver Lambert, Negro, and murderously beat Lambert until he wrung a confession from him. Railroad investigates and finds that Lambert had been at another point at time of both attempted wrecks, and that the "private detective" had framed him in order to collect the reward.

And so it runs. A very interesting study for those concerned with criminology, and a very serious thing for the Negro race, which frequently has to bear the onus of crimes committed by members of the white race.

When one takes into consideration the mental attitudes which control race relations in the South, and the social and economic reactions to crimes committed by Negroes, every time a member of the race commits a crime or is charged

with a crime which a member of the other race committed, it increases the handicap under which the race is laboring in its struggle to command confidence and social justice.

Those who commit crimes and undertake to fasten them upon Negroes are wise enough to take advantage of the social thinking which instantly associates the word Negro with crime, and crime with Negro. How this situation is going to be remedied is just another problem in the Negro's path. Happily recent disclosures are serving to draw attention to it.

A BLOODY RECORD

Atlanta ves with Memphis, Chicago and other lawless towns in crime and terror. Crime is gradually but surely tightening its iron grip around the wheels of justice, and the gangsters are growing bolder every day.

The murder of a child and the burning of the home of the child's parents, followed by an attempt to blow up Wheat Street Baptist Church, Wednesday night, while the members of the church were engaged in prayer meeting, the Atlanta Constitution reports, is our record.

The question is, what are the uathorities going to do about it, sit idly by and let the bootleggers, reds and gangsters take the town, like Nero fiddled while Rome burned to ashes?

Intolerance is riding in the saddle because the criminal element have no fear of punishment from either the national, state or municipal governments.

Murder and arson, followed by tear bombs thrown in a church by white bandits, is our latest record. Arson follows murder, and white bomb throwers visit Wheat Street Church, the house of God, Wednesday night, and attempted to destroy the church while religious services were going on, by throwing a tear bomb into the church at the time of worship; and only the power of God saved the building and the lives of the worshippers from instant death.

What is the law going to do about it? is the all absorbing question among terror-stricken people.

TELLS LAWYERS HE HASN'T JOINED HOODLUM MOBS

Declares Windy City Ranks Only 36th In Homicide Rate

WASHINGTON.—(ANP)—Delegates to the annual convention of the National Bar Association which was held in this city last week who might have thought that every time a Chicagoan reaches for his handkerchief, he may pull up with a gun, were told by Assistant State's Attorney Euclid Taylor that they were many per cent wrong in their notions about Chicago and its crime.

Mr. Taylor represented his superior Judge John A. Swanson, state's attorney of Cook County, who had been asked to address the lawyers on crime conditions in Chicago and the Negro's relation thereto.

"Crime conditions in Chicago, while serious, are greatly exaggerated," emphasized Taylor.

In support he read from statistics compiled by the Prudential Life Insurance Company and issued in a report of the Chicago Association of Commerce, which showed that Chicago, instead of leading the country in homicides, was 36th. Chicago's homicide rate is 12.7 per 100,000. But Memphis, Tenn., shows a rate raeshraddadluadlait Tenn., shows a rate of 66.8; Augusta, Ga., 54.7; Birmingham, Ala. 51.3, and Jacksonville, Fla., 46.9.

Negro Gangster Unknown

Chicago's homicide rate was reduced three per cent from 1928 to 1929, and the 1929 rate was only slightly higher than the average for the country as a whole.

According to Mr. Taylor, who made a special study of the Negro's connection with crime, there is no such thing known to the law-enforcing agencies of Chicago as a Negro gangster.

"In the field of deliberate mass murder for profit," asserted the prosecutor, "the Negro is unknown."

An exact relationship between economic status and crime, so far as the Negro is concerned, has been discovered by the state's attorney's office. Investigation has served to show that the Negro who was born in Chicago or who has lived there a sufficient length of time to adjust himself economically, displays a minimum of criminal tendencies, and that the problem with the criminal Negro is almost entirely with the group which has migrated from the South, which is unable sometimes, either because of lack of opportunity or lack of training, to adjust itself to the new and strange economic conditions.

Faces Unfavorable Court

"An analysis of the statistics for crime during the past twelve years," indicated Mr. Taylor, "shows that when the labor market is brisk, crimes committed by Negroes diminish, and that they increase when that market tightens.

Mr. Taylor also implied that the Negro finds himself important in the city's crime statistics because of difficulties usually present in giving him a fair trial.

"The Negro criminal faces the rapidly moving courts of Chicago without friends, or funds, and with a record of unemployment upon which are cast no friendly glances," Mr. Taylor explained. "The dread of facing the court, the crowded room packed with what he imagines are unfriendly spectators, and a jury of whites, cause his friends to be reluctant to appear to testify in his behalf.

Such glaring acts of partial judgement can never bear the label of Justice. And when a judge will permit his personal animosity toward a race to sway his judgements, he has passed his period of dealing out Justice and should be removed from the bench. Persons arraigned before such a prejudiced judge should, when possible, ask for a change of venue because of partiality.

IMPARTIAL JUDGES vs. PREJUDICE JUDGES

The inconsistancies of man and the too often bias and race prejudice of our judges stood out this week in three cases in Police Court. Judge Robert E. Mattingly is the chief offender. He is very nasty in his conduct of cases where Negroes are involved. He delights in slurring Negroes and in being sarcastic toward them. If we had a system of election for our Police Judges, R. E. Mattingly would be left at the bottom of the list of candidates who also ran.

A nineteen-year-old colored girl was arraigned before his August Majesty, Judge Mattingly, this week on the charge of *petty* larceny of two articles which she stated she wanted to sell to get food for her invalid father. His Honor sentenced her to six months in jail. The invalid father is without her support and care.

We do not condone crime nor petty larceny. We hold no brief for the girl. But Judge Mattingly could have taken the case under advisement and found out if the story was true of the invalid father, and if true, he could have given the girl a suspended sentence.

Now take this case, which appeared on the same page of a morning daily as the one of the girl.

A white boy of 18, stole an automobile here and drove it to Greensboro, N. C., where he was arrested and returned to Washington on a charge of grand larceny.

The boy claimed that he stole the car to go home to see his father who was ill. The policeman who arrested him, went before the judge and asked for mercy. The boy was released on his own bond and the case, which should have been turned over to the grand jury as *grand* larceny, was practically nolle prossed.

The third case of the week came before Judge Mattingly in which a prominent Negro business man was charged by two race prejudiced policemen with minconduct. The man denied the charge and put three eyewitnesses on the stand who coroborated his statements and asked for a policeman to be put on the stand to substantiate one of his statements. His Honor refused to admit the policeman to testify. Altho the two arresting cops slapped the man in the mouth and cursed him; he was found $15.00 by Judge Mattingly because he asked a policeman to permit him to see a man in a house the [illegible] were [illegible]rding.

Crime-1930

General

THE MURDER EPIDEMIC.

The record of four homicides in Atlanta within the past week, if normal, which it nearly is, would indicate a yearly murder toll of 208 victims. The actual record will not reach that figure, quite presumably, but the fact sticks out that murders are much too frequent in this community.

If one has money and friends to help him fight the law he can kill with much safety these days. There are few murderers convicted and many fewer who pay the penalty either in the penitentiary or the electric chair. The psychology of the people seems to hold human life in light esteem.

11-17-30

A great need exists in American society, not in Atlanta alone, but all over the land, to make murder a perilous thing to the killer. We need more efficient detective skill in our police and sheriff departments, quicker modes of bringing killers to trial, and fewer subterfuges in criminal procedures through which killers may escape and their victims—the dead and the law—go unavenged.

The murder history of this nation is appalling, and it is shameful that Memphis, Birmingham, Nashville and Atlanta head the list of American cities in which the larger percentages of homicides are yearly recorded.

It is a condition that should impel jurists and legislators to exert all their wisdom and skill to make murder the most dangerous o crimes.

Bigger and Better Murders

Chicago, twitted because of its reputation as a city where crime flourishes and gangs rule, answered back last week by quoting the following U.S. figures to show that the murder rate in five other cities is higher.

City—	Population	Murder per 100,000
Cincinnati	449,331	10.90
Kansas City, Mo.	399,484	10.76
New Orleans	455.792	9.87
St. Louis	822,032	9.24
Cleveland	900,430	8.77
Chicago	3,375,329	8.35
Newark	442,842	7.65
Washington	486,869	6.98
Detroit	1,533,985	6.78
Philadelphia	1,964.430	5.54
Baltimore	805,753	5.08
Los Angeles	1,233,561	3.64
Buffalo	573,070	3.30
Minneapolis	464.753	2.79
San Francisco	637.212	2.10
Boston	787,271	1.77
Milwaukee	572,557	1.22

Jacksonville, Florida, and San Antonia, Texas, in the lynching belt, are pointed out as cities having three times the murder rate of Chicago. And other Southern cities outrank Chicago.

Baltimore, like other critics, has been accustomed to throwing epithets at Chicago on account of the crime wave. A second glance at the table above would indicate that this should be done in a soft voice for, although Baltimore has a better murder record than Philadelphia or Washington, it can learn something from intellectual Boston and fast growing Los Angeles.

At that, however, we know of no city where gangsters use more machine guns, have larger funerals, control more judges or have more openly offered to compromise with the courts on law enforcement. Here Chicago stands by itself.

Crime - 1930

Georgia.

NEGRO SENTENCED

Streeter Gives 12 to 16 Years on Chain Gang.

Constitution 2/13/30 Atlanta, Ga.

A sentence of from 12 to 16 years was given Albert Streeter, negro, Wednesday, by a jury in Judge E. D. Thomas' division of Fulton superior court for robbing J. C. Haynes, of 378 Kelley street, of a watch and 55 cents on December 18.

Negro Is Given Year For Carrying Pistol

Constitution 2-13-30 Atlanta, Ga.

Emphasizing his opposition to carrying concealed weapons, Judge Jesse M. Wood, of criminal court of Atlanta, Wednesday gave Robert Lane, 29, negro, 12 months and a consecutive sentence of six months on a charge of pointing a pistol at another.

Court Rules That Men Must Die For Murders

Advertiser 7-22-30 Montgomery, Ala.

ATLANTA, July 21.—(AP)—The Georgia Supreme Court today affirmed the sentence of a white man to die in the electric chair for the murder of two negroes.

Weyman Bradberry, Oconee County youth, his brother, Harvey, and his cousin, Raymond Cooper, were convicted of the murder of Doc Elder, aged negro, and his wife last November. The brothers were sentenced to death and Cooper to life imprisonment.

Weyman's case was acted on today by the Supreme Court, and it held that the Oconee County Superior Court did not err in its rulings.

Intimidation Campaign Continues As White Men Bomb Wheat St. Church

Independent 7-3-30 Atlanta, Ga.

While the officers and a few of the members of Wheat Street Baptist Church, this city, were peacefully conducting a church conference last night, a tear gas bomb was thrown into the lobby of the church by a white man, who was seen to have approached the church in an automobile, accompanied by three others.

Witnesses and neighbors stated that the four white men had driven around the block three or four times when two of them got out of the car and attempted to enter the back door of the church. Faili gnhere they tried the windows, but could not ge in on account of heavy screens. They then walked around to the front of the church and threw the bomb into the vestibule. No damage or injury was done, and the members continued about their work.

Police investigating have several clues as to the identity of the culprits, and arrests are expected shortly.

OUR MAYOR PRO TEM RENDERS A SERVICE

Editorial 7-10-30 Atlanta, Ga.

J. Allen Couch, mayor pro tem, extends the blessings of mercy to 272 unfortunates. Mr. Couch must be commended for his humane purpose. There is no more appropriate day than Independence Day to extend the blessings of liberty to those chained in involuntary servitude. Slavery of any kind is a curse, and inconsistent with the principles of human liberty. The mayor pro tem's conduct may not please the tyrants in authority, but his actions will square with the religion of those who believe in the spirit of redeeming fallen humanity for God and society.

Every man is entitled to a chance to redeem himself. The door of hope must not be shut in the face of the most unfortunate. A gleam of hope must be held out to the bond as well as the free. For as long as the lamp holds out to burn the vilest sinner may return.

Law or no law, the Mayor Pro Tem acted within his Constitutional authority. Too often loosely drawn statutes are drawn for the purpose of depriving citizens of their Constitutional rights and ought to be disregarded.

It took a strong, courageous man to do what J. Allen Couch did on Independence Day. There are more men and women outside the stockade that ought to be on the inside, than are in the pen. We venture that there are more thieves and thugs outside of the chaingang than there are inside.

We congratulate the Mayor Pro Tem both for his courage and the wisdom of his act. He proved himself a Christian hero, not afraid to do his duty. The 272 happy souls were entitled to a day of freedom; Atlanta is none the worse off by the magnanimous act of the Mayor Pro Tem.

The Mayor Pro Tem served both God and humanity, and let the heathens rage and imagine vain things, the convicts are free and the Mayor Pro Tem is happy in the consciousness that he did a good day's work.

He served humanity when the opportunity came and God is pleased, and 272 unfortunates are happy, as the result of the man who had convictions and the moral courage to express them without fear or favor.

We congratulate the Mayor Pro Tem, and thank God for the great services he rendered the underprivileged who had no one to speak for, or sympathize with them.

Couch Assailed For Pardon of 272

Independent 7-10-30 Atlanta, Ga.

Despite a storm of protest against Acting Mayor J. Allen Couch's order liberating 272 prisoners in the city stockade, thus clearing all cells for the first time in history, it was generally forecast by officials Friday that the blanket pardon order will stand and that no official action will be taken against Couch.

This was conceded in the face of criticism by Alderman J. Charlie Murphy, chairman of the Council police committee; Alderman Everett Millican, provisional Mayor Pro Tem., and Judge Murphy M. Holloway, of the second division, Recorder's Court, that Couch had exceeded his authority and had acted extremely unwise.

Prisons Are Empty

The men's prison on Hilliard street, where only negro men are quartered, and the prison quarters at the dairy farm on McDonough Road, where white men and women and negro women are quartered, were empty Friday.

Twenty prisoners, including six while girls, a negress and ten negro men, who had been held for state courts and who could not benefit by the pardon order, were transferred to the Tower Friday morning.

Acting Mayor Couch had issued his order with a simple statement that he had always wanted to do something for humanity; that he was about to retire from office; that his funds were too limited for him to practice charity in that manner, and concluded with the assertion that if the Christian people of Atlanta will extend their helping hand to the unfortunates be freed, all convicted for minor infraction of city laws, he believes good can come.

Crime, Says Millican

Alderman Everett Millican criticized his colleague by declaring:

"It is a crime. I tried to obtain an injunction order, but was advised by the city attorney's office I could not do so. I fear Couch has injured the persons he has liberated rather than benefited them."

Alderman Murphy characterized Couch 's action as having exceeded his authority and as unwise.

City Attorney James L. Mayson expressed opinion that the pardons will stand.

The Acting Mayor was within his rights in granting executive clemency to all prisoners whose original fines were $50 or in excess or whose sentences were for a period of 30 days or longer, the city attorney said.

Unless some official or citizen makes a point of the pardon order for those whose sentences were lighter, Mr. Mayson said he saw no probability of a challenge of the Acting Mayor's order.

Left Before Midnight

The prisoners who won their freedom by the executive order and who had vacted their cells before midnight Thursday included 132 negro men at the Hilliard street prison and 56 white men, 29 white women and 55 colored women at the dairy farm, all serving sentences for misdemeanors.

Holloway Objects

Judge Murphy M. Holloway, of the second division of the Recorder's Court, scored the action of the Acting Mayor. He said:

"I emphatically do not think it is a good thing for the city. Clemency, where properly applied, is a wholesome agency of human reconstruction; when misdirected it becomes a human menace, Atlanta now is in the grip of the worst carnival of crime in many years. Every agency of enforcement is taxed to the limit, and nothing short of a sudden and rigid checking will bring relief."

Code Ignored

More than half of the prisoners released, it was revealed by examination of police records, came within the section of the code which requires a written recommendation from the Recorder before executive clemency can be extended those sentenced for less than 30 days or serving a sentence for a fine of less than $50.

319 TOWER PRISONERS GET SPECIAL DINNER

The 319 prisoners in Fulton Tower who for various reasons were unable to participate in the many events sch d for the Fourth of July we treated to a special dinner Friday by "Bob" Holland, chief jailor, and "Big Bill" Turner, steward. The menu consisted of barbecued pork with brown gravy, candied yams, potato salad, corn muffins and coffee.

MAN ARRESTED FOR ATTACKING WALDEN NEGRO

Negro Beaten and Robbed Of Receipts From Sale Of Watermelons

Macon, Ga., July 31.—(AP)—One man is being held in jail here and two others are being sought by sheriff's deputies as the assailants of Will Mincey, Walden, Ga., negro who early Wednesday night was snatched from his wagon, slugged, beaten and robbed of a day's receipts from the sale of watermelons, and thrown by the roadside to die.

The name of the man under arrest was not revealed by officers pending the capture of the other two. The victim of the attack has identified him as one of the trio of assailants. All were unknown to the negro.

Though the robbery and attack occurred early Wednesday night, it was not reported to Sheriff James R. Hicks, Jr., until this morning. Officers began work on the case immediately.

Mincey was unconscious for several hours following the robbery, regaining consciousness about 3 o'clock this morning, he told officers. He immediately went to his residence, and it was not until after daylight that he reported the incident to M. M. Minshew, Walden farmer, and Mr. Minshew in turn, reported to Sheriff Hicks.

The negro wil lrecover, physicians said.

As far as could be learned, the negro is not related to the Montgomery county republican leader, S. S. Mincey, who died of a similar attack two days ago. Sheriff's deputies say the only motive for the attack appears to have been robbery.

Macon Police Send Loiterers To Jobs In Cotton Fields

MACON, Ga., Aug. 19.—(AP)—Unemployment will no longer be taken as an excuse for loitering in Macon since the police department, under the direction of Chief Ben T. Watkins, has become an employment agency.

Two truck loads of laborers were rounded up Friday and Saturday and sent to Pienhurst, Ga., farmers to pick cotton. Calls were being received from a number of south Georgia towns requesting laborers and the police began the round up.

Petty larcenies due to the unemployment situation have kept the department busy recently, Chief of Detectives T. E. Garrett said. The police will continue to furnish employment to idle laborers and loiterers, he said.

The Rule of Hoodlums

The masked and robed men who took S. S Mincey, a 70-year-old Negro Republican leader of Montgomery county, out of his home at Ailey and beat him so that he died 12 hours later, committed one of the worst and one of the most inexcusable crimes in the recent history of the state.

Not even those who conceive the virtue of Southern womanhood is to be preserved by their sadistic efforts, can make any excuse for that crime. Mincey had outraged no woman. There was not even a suggestion on the part of anybody that he had not been a good citizen. Not even since his death has there been revealed anything of which he might have been guilty in the past. He had reached that age in life where all of us may expect to find peace and comfort from the fruits of a life's work.

Instead, a band of men invaded his house, knocked him over the head with a rifle barrel, took him out into the country and beat him so badly that no skin was left on his back, put him into a truck, carried him across the Toombs county line and beat him some more and then dumped him out. The only clue the sheriff has to the cause of the brutal manhandling was that somebody wanted his job as chairman of the Republican committee for Montgomery county.

It is possibly too much to expect that the officers of the county will be diligent and aggressive enough to bring anybody to trial for the lynching and possibly too much to expect that the responsible white people will be aroused sufficiently to demand that the officers do their full, sworn duty. We have been accustomed to such occurrences for so long that we are inclined to take them as a matter of course—which is exactly what the people of Chicago did while they were allowing themselves to come under the control of the gangs that prey upon and kill the people of that city.

Montgomery county has furnished the latest and best illustration of one reason Georgia is losing population. If she will solve the Mincey lynching and punish those who committed it, she will have done an effective service in helping to put an end to the rule of Georgia's hoodlums, thereby earning the thanks of all those citizens who care for the state's self-respect and reputation.

Two Whites to Die For Fiendish Killings

Georgia Supreme Court Upholds Death Chair Sentence; Other Gets Life

ATLANTA, Ga., July 22.—The Georgia Supreme Court yesterday affirmed the sentence of a white man to the electric chair for the murder of two colored persons.

Weyman Bradberry of Oconee county his brother, Harvey, and his cousin, Raymond Cooper, were convicted of the murder of Doc Elder and his wife last November. The brothers were sentenced to death and Cooper to life imprisonment.

Weyman's case was acted on Monday by the Supreme Court, which held that the Oconee County Superior Court did not err in its rulings.

The three white men were indicted and tried jointly. Testimony was that they lured the aged man from his cabin at night and beat and stabbed him to death. They then returned to his home and cut his wife's throat while she slept, according to evidence. The cabin was robbed of the couple's savings.

ATLANTA, GA.
CONSTITUTION
OCT 8 - 1930

TOO MANY KILLINGS.

The esteemed Chattanooga Times very justly pours acrid criticism upon Georgia for suffering lynchings to be revived and to go unpunished. And then it reports for its own community as follows:

"Among the 121 indictments returned by the Hamilton county grand jury last Friday at the close of a four-day session were ten for murder. Three of the accused are women and one of them, Fred Cornelison, is a triple slayer. There were eleven victims in all, three of whom were women. All of the killings took place between July 19 and September 19, a matter of two months."

We offer no criticism of that condition as to murders in Chattanooga. What we do offer is a problem for solution by our law officers, judges and criminologists, and that is to tell why in Memphis, Birmingham and Atlanta, in that order, have the largest number of murders, in proportion to population, on record annually in the whole United States?

Are we southern people just a natural born breed of mankillers, as prone to take human life by violence as the sparks to fly upward? Why should we in all our states nearly supply the larger part of the homicide record each year?

Is it true with us, as the Chattanooga Times suggests it is in its city, that killings are so common because "so many killers come out of the courts acquitted or bearing ridiculously light prison sentences, and that these are in all too many instances materially shortened by the governor?"

Here is a problem of local civilization that cries for a solution. Who will undertake to find and pin down the true answer?

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White Killers of Negro Man, Wife Commuted

ATLANTA, Ga.—Governor Hardman has saved two white youths from the electric chair for the murder an aged Negro and his wife. Harvey and Weyman Bradberry, who had been sentenced to the chair for murder in Oconee county, had their sentences commuted to life imprisonment by the governor last Monday.

The Governor's action followed recommendations made recently by the state prison commission which said psychological tests had shown that the youths were of low mentality. The two Bradberry youths and Raymond Cooper, a brother-in-law, had been found guilty of murdering Doc Elder and his wife, and then looting his home. Cooper was sentenced to life imprisonment.

Crime – 1930

Georgia

White Georgia Slayer of Colored Woman Get Sentenced To Life Imprisonment

Watkinsville, Ga., (CNS)—A jury in the Superior Court of Oconee County returned a verdict of guilty, with a recommendation of life imprisonment, in the case of Raymond Cooper, white, charged with the death of Francis Elder.

Solicitor-General H. H. West immediately placed Harvey Bradberry, youthful brother-in-law of Cooper, on trial on the same charge and announced at that time that Weyman Bradberry, brother of Harvey, will be also tried this week on a charge of the murder of the woman.

Mr. West said that unless the Bradberrys receive the death penalty in their trials he will place all three men on trial for the murder of Doc Elder, the murdered woman's husband.

Cooper and the Bradberrys are charged with murdering the Elders last November. They were said to have robbed them after the killings.

Officers said Cooper first confessed the crime.

HOUSTON, TEX.
POST-DISPATCH
MAR 2 1930

Improving Race Relations

NOT long ago in a Georgia court two white men were convicted and sentenced to electrocution and a third was sentenced to life imprisonment for the killing of two negroes. To the Macon Telegraph, one of the leading daily newspapers of Georgia, that episode reflected the change in the attitude of the white people toward negroes that has come about in that State within the last decade, due to the work of the commission on interracial co-operation. "Ten years ago," says the Telegraph, "it would have been impossible, in this State, to get a verdict carrying electrocution for two white men guilty of killing two negroes. The verdict reflects a desire on the part of the dominant whites that justice be done without reference to the color of the victim's skin." The Macon paper also attributes to the commission a very large part of the credit for the decline in lynching in Georgia. In all of the 13 Southern States where the commission is now functioning, it has been helpful in promoting more friendly relations between the races, and in securing a better administration of justice. In Texas the commission has enlisted in its task many of the most noble and influential white citizens as well as numerous leaders of the negro people who sincerely have the interest of their race at heart. Chambers of Commerce, colleges, churches and civic organizations are lending their co-operation to the program for improving race relations. The commission is planning soon to enter upon a campaign to raise $1,360,000 to provide for financing its activities for the next 10 years. Judging by the interest shown in the body's work, the response should be prompt and generous from members of both races.

New Trial Motions Denied Convicted Slayers of Negro

Attorneys for Doomed Clarke County Youths File Notice of Appeals.

ATHENS, Ga., March 18.—(AP)—Motions for new trials were denied Weyman and Harvey Bradberry, Clarke county youths, convicted of the murder of "Doc" Elder and his wife, Oconee county negroes, at Watkinsville last September, Judge Blanton Fortson here today. Attorneys for the Bradberrys filed notice of intention to appeal to the supreme court, automatically staying the executions set for next Friday.

Attorneys for the brothers introduced three witnesses at the hearing today in an effort to prove that Dewitt Daniel, one of the jurors in the Weyman Bradberry trial, had declared previously that the Bradberrys and Raymond Cooper, their brother-in-law, who was given a life sentence upon conviction in the Elder deaths, were "damned bootleggers and ought all three to have their throats cut and be thrown under the bridge like they did Doc Elder."

Daniel denied the testimony but said he declared that Cooper might not have been arrested if he had not been a bootlegger and that he had no sympathies with bootleggers.

TIMES-JOURNAL
SELMA, ALA.
MAR 8 – 1930

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Youth Under Death Sentence For Slaying Negro Couple To Appeal for New Trial

WAYMOND AND HARVEY BRADBERRY.

ATHENS, Ga., March 17.—(AP)—Attorneys for Waymond Bradberry, 22, under death sentence for slaying Doc Elder and his wife, Francis, aged negroes, near Watkinsville, tomorrow will appear before Judge Blanton Fortson in Clarke superior court to argue motions for a new trial.

Waymond and his younger brother Harvey, 19, are under sentence to die in the electric chair at Milledgeville on March 21.

Motions for a new trial were set for hearing last Saturday but Judge Fortson postponed the hearing until tomorrow. Immediately after the motions in the case of Waymond are disposed of similar action will be taken in behalf of Harvey Bradberry.

The two men were convicted in superior court at Watkinsville. Raymond Cooper, their brother-in-law, also was convicted in the slayings and was sentenced to life imprisonment.

Evidence offered by the state during their trials showed that the three men had called the aged negro from his house and killed him, then robbed him of approximately $200. Evidence was offered to show that the negro's wife had witnessed the slaying and that the trio then killed her to prevent her testifying against them.

Negroes Acquitted At Murder Trial

COLQUITT, Ga., April 2.—(AP)—J. B. Jones and Marvin Dennis, negroes, were acquitted tonight of the murder of Jeff Davis, Miller county planter, by a circuit court jury which deliberated three hours. The state had asked the death penalty while the defense contended the negroes were coerced into participating in the slaying.

Joe Albritton and Clarence Bush, white men, recently were acquitted of the killing. The defense charged the negroes were forced by Albritton and Bush to aid them.

Davis was killed in a cotton field near his home Saturday, August 31, 1929, the state contended, with robbery as the motive. The body, the prosecution sought to show, was carried seven miles from the farm home the night after the killing, sunk in a creek being discovered the following Monday. Davis' own automobile was used to carry the body away.

Solicitor-General C. B. Costellow introduced in evidence a $97 which he said was taken from the body and which the state's witnesses testified was recovered from one of the negroes.

15 Out of 1,000 Persons in State Jailed Each Year

Constitution

A report showing that 15 out of every 1,000 persons in Georgia are committed to county jails yearly was released by Thomas B. Mimms, director of division of adult delinquency of the state welfare department.

Jail commitments last year increased faster in proportion than did state population, Mr. Mimms said, with 50,316 white and colored prisoners being placed in county jails. This represents an advance of 5,101 since 1927, when a total of 45,003 commitments were made.

4-26-30

Last year 4,236 more negroes were sent to jail than whites, the records show, according to Mr. Mimms. Twenty-three thousand and forty whites were imprisoned and 27,276 negroes.

There are 157 jails in Georgia, four counties having maintaining prisons, Mimms said. Records of imprisonment in the last three years were given as follows:

	1927.	1928.	1929.
White.			
Men	18,598	18,563	20,956
Women	1,211	1,241	1,593
Boys	295	255	395
Girls	53	51	96
Colored.			
Men	21,481	21,246	23,233
Women	2,986	3,301	3,616
Girls	489	291	360

Boys Who Burned Negro Must Pay Penalty on Gang

Constitution

Two Oglethorpe county youths who poured gasoline on a negro boy and set him afire "just to see him run" will serve sentences of one year on the chain gang as the result of an opinion handed down Wednesday by the Georgia court of appeals.

According to the testimony in the record, the men, Grady Looney and Theo Christian, caught the boy, whose name was William Jewell, saturated the legs of his trousers with gasoline poured from a quart can, and Looney applied a burning match. The negro was severely burned.

Atlanta, Ga.

Neither of the defendants denied setting the negro afire, although both contended that the pouring of the gasoline on the boy had been intended as a joke, and that his gasoline soaked clothing had been set afire accidentally. "When I struck the match I had no idea of hitting him, "Looney testified. "When I did the fire jumped and caught the boy."

THE "HAM" CASE

The Constitution recently carried, with other newspapers served by the Associated Press, a news article from Decatur, Ga., commenting upon the fact that Oscar Josey, alias Roy Smith, had been sentenced to the chaingang for 20 years by the judge of the Stone Mountain circuit, upon a plea of guilty to the theft of a ham, which publication has evoked numerous communications from various sections of the country, based upon the complaint that the nature of the offense did not justify the extent of the punishment imposed by the trial judge.

Constitution

12-22-30

Atlanta, Ga.

The Constitution presents, in another column, a communication furnished by the presidents of the respective legal associations, whose jurisdiction embraces the territory within which the culprit was arrested, and in which he was tried and sentenced. These communications are founded on the record in the case as supplied by the solicitor-general, and upon the statutes of the state as construed and approved by the supreme court of Georgia.

It is demonstrated that the prosecution did not involve the case of a negro who had committed a first offense by pilfering a ham to appease his hunger, but that the defendant was a professional burglar who had committed the crime of burglary at least three times, two of which offenses were committed when the burglar was an escaped convict who was plying his profession while a fugitive from justice.

In view of the facts in the Josey case as brought to light by the diligent and experienced solicitor general of the Stone Mountain circuit, as measured by the declared law of the state of Georgia, the able and experienced judge who delivered the maximum sentence, was vested with no discretion in the premises and could have imposed no lighter sentence than the maximum, without violating the laws of the state and his oath of office.

The criticisms which have been received from various correspondents were based upon condensed news reports which did not disclose the material fact that the defendant was an habitual law breaker, an escaped convict, and a professional burglar who followed no other trade than his criminal avocation, and left room for the conclusion that a Georgia judge, in the exercise of judicial discretion, had imposed a maximum penalty upon an impecunious negro for the commission of a first offense.

The people of Georgia who have known Judge John B. Hutcheson, the able and experienced jurist who delivered the sentence, needed no detailed explanation of the facts and no citation of the statutes and decisions, to satisfy them that any criticism of his judgment was as unmerited as it was unjust. To those of his friends who have known him as citizen, lawyer and judge, he has been the embodiment of sympathetic kindness and of merciful justice, which qualities he has manifested throughout his career as judge of the Stone Mountain circuit with such consistency, that he has been repeatedly re-elected by the people of his circuit.

For the benefit of those readers who have been misled by the inadequate news reports above quoted, The Constitution takes pleasure in giving space to the communications from the presiding officers of the legal organizations, which present in detail, the law and the facts under which the Josey sentence was imposed.

In this era of laxity in the enforcement of the law, where crime has become a practical and profitable profession, and no man's home is safe against the invasion of the professional burglar, the good people of the Stone Mountain circuit are to be congratulated upon the services of a wise and fearless judge, who may be relied upon to administer the law as enacted by the legislature and construed by the courts of last resort.

Moultrie, Ga. Observer
Saturday, June 14, 1930

He Was a Negro

Georgia newspapers have carried the story of the trial of a man in DeKalb county for stealing a ham, who was given a sentence of twenty years. We suppose that no one would ask any questions about the man's color, nor will any one ask whether or not he was a man of wealth. Two things declare him to be poor. One is that he was in need of a ham, and the other is that a Georgia judge would sentence him to twenty years in the chaing gang for stealing a ham. It even goes without saying that he was not employed by a man with any financial standing or political influence. If he had been working for a prominent farmer who was influential in carrying his militia district in elections ,the sentence would not have exceeded six months and he probably would have been given a small fine which his employer would have paid, returning him to the plow handles.

We can not expect to have perfect equity in our courts. We do not have it in our homes or in our churches. None of us are unbiased or perfectly just, but it is a sad commentary on the courts of this state and the law enforcement machinery when city officials can take graft and waste thousands of dollars of the people's money and walk about the streets under bonds while great packs of lawyers fight their way to acquittals, and a poor starving negro, stealing a ham, is given a sentence of twenty years.

We do not know how many courts in Georgia are dealing out justice of that kind but we think there is room for improvement in a great many of them. We hear a good deal about class legislation in this day, but there has never been any threat of class legislation that equals the class justice, or enforcement of law according to classes.

13 COUNTIES PLAN TO ABOLISH GANGS

Constitution

12-24-30

Atlanta, Ga.

Decision of 13 Georgia counties to abolish their prison labor or "chain gang" camps on January 1 causes grave concern to the state prison commission, E. L. Rainey, chairman of the commission, said Tuesday.

Prison facilities already are far inadequate, Mr. Rainey said, and the inclusion of the practically 400 men who are now kept in the 13 counties will make conditions "practically impossible."

The counties to abolish prison labor are Bibb, Baker, Barrow, Coffee, Clinch, Emanuel, Hart, Lee, Lowndes, Lincoln, Polk, Webster and Walker, Mr. Rainey said. Various reasons have been given to the commission, the primary ones being that misdemeanor convictions have increased so noticably within the past few years that there is no room for those convicted of felony. Another reason is that county roads in the counties named are now practically graded, according to Mr. Rainey.

When the 13 counties abandon their prison camps it will mean that 42 of the 161 counties in the state are not working prison convicts for the state, according to Judge Rainey. Records show 148 negro women serving on misdemeanor charges.

Send White Slayer Up for Long Term

Savannah

Jury Out 30 Minutes in Georgia Murder Case

10-25-30

AUGUSTA, Ga.,— (ANP) After deliberating just twenty minutes the jury foud Charles Goodwin, a white man, guilty of the murder of Walter Barnes, and for the first time in the history of Richmond county, a white man faced a sentence of life imprisonment for the murder of a Negro.

10 Oct 2nd.

Goodwin admitted that he killed Barnes, but claimed that he shot in self defense. He stated that Barnes attacked him with a weapon and to protect his own life he shot and killed his "assailant."

Evidence produced at the trial, however, proved the self-defense plea absolutely false and showed that Goodwin had slain the man because he refused to obey his command to bring him a drink of water. After listening to the evidence and deliberting a short time, the jury returned a verdict of guilty and Goodwin was sentenced to life imprisonment automatically as the verdict carries that penalty.

Jesse Goodwin and Clifford Rollins, two other white men, were also indicted for the slaying, but their trials have been postponed until a ater date.

Crime – 1930

Georgia.

Facing Death Chair Friday, Brothers Given Life Terms

WAYMAN AND HARVEY BRADBERRY.

Death sentences of Harvey and Wayman Bradberry, Oconee county brothers, were commuted to life imprisonment Monday by Governor L. G. Hardman on the recommendation of the state prison commission. The Bradberry boys were under sentence to die next Friday for the slaying of Dock Elder and his wife, Frances, negroes.

Governor Hardman's order of commutation declared that the record shows that the defendant brothers are of weak mentality and were influenced in the commission of the crime by an older person, Raymond Cooper, a brother-in-law. Cooper was convicted of the same crime and received life imprisonment. 10-28-30

The prison commission's recommendation to Governor Hardman was based upon a report from Dr. A. S. Edwards, head of the psychological clinic of the University of Georgia, who made a study of the social background of the two youths and said that their minds resembled those of 10-year-old children.

Carlisle Cobb, of Athens; Fred Gillen and Robert Nicholson, of Watkinson, appeared before Governor Hardman as attorneys for the Bradberry brothers. The prosecution was not represented except through a letter written by the solicitor-general of the circuit to the state prison commission asking that the commutation not be granted. Robbery and bad feeling between Cooper and the negro couple were said to have been motives for the slaying.

A MISUSE OF THE PARDON POWER.

Negroes in Georgia are executed legally and illegally and it has not been the policy of the present democratic administration at the Capitol to intervene in any way, or seek to suppress mob violence. The mob is left free in Georgia to murder, burn, and to terrorize the peace of the state, while the Governor, like Nero, sits quietly fiddling while Rome burns down. It is an unwritten law in Georgia that a white man shall not be hung or executed for the murder of a Negro, but that a Negro may be executed legally or illegally for the murder of a white man, or anything else with or without a trial in court, or an opportunity to establish his innocence or the state to prove his guilt. Capital punishment is enforced in Georgia in a way to impress a Negro that he shall not kill a white man, but a white man may kill a Negro and plead that a white man killed a Negro, that's all. 10-30-30

The commuting of the death sentences of Wayman and Harvey Bradberry to life imprisonment is an abuse of the pardon power and a travesty upon justice. The travesty sets up the color line in law enforcement. Three white men (Wayman and Harvey Bradberry, brothers, and Raymond Cooper, brother-in-law) planned the murder of, and killed Dock Elder and wife, Negroes—motive, robbery—in Oconee County several months ago. They were indicted, convicted, and sentenced to die in the electric chair at Milledgeville tomorrow, and would have been executed as the law directed, if not for the interference of the Governor.

The action of the Governor in this instance, in our judgment, is a travesty on justice and a serious interference with law enforcement. This was a case of cold blooded murder without a single mitigating circumstance, for the sole motive of robbery.

Governor Hardman may think that he is saving the white youth from disgrace and crime, but he is seriously mistaken; and he is licensing the young white man to believe if he kills a Negro, he may escape adequate punishment. This policy in the end will make criminals of good white boys. If they felt that the killing of a Negro was murder in the same degree as the killing of a white man, and that the law does not tolerate murder from any person or in any degree, there would be less murderers among the white youth of this age.

These murderers ought to die tomorrow at Milledgeville, and the wicked argument that no white man has ever been hung or executed in Georgia for the murder of a Negro ought to be stopped. When a lawyer raises this point before the Governor or the Prison Commission he should be read out of court and admonished that the law, in the language of our Supreme Court, "knows no color line in law enforcement." The excusing of a white man from adequate punishment for crime, and the punishment of Negroes, guilty or not guilty, is not going to make for law enforcement.

Law enforcement must be color blind, any other policy will lead to the overthrow of popular government, and the setting up of anarchy in its place.

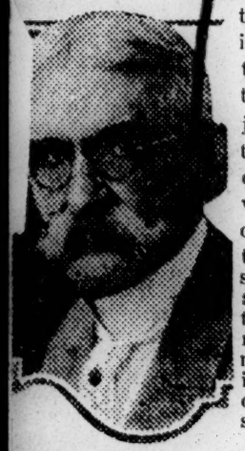
Crime - 1930

Georgia

LOOKING AND LISTENING

BY SAM W. SMALL.

Why Our Criminal Courts Are Cluttered-Up and Justice Leaden-Footed.



A long time ago we started a vicious scheme of criminal law in Georgia that is now causing us much trouble, by delaying the courts in the administration of criminal justice, keeping the majority of our jails crammed with prisoners, costing the counties exorbitant sums for feeding and guarding them, and so making crime a means of easy living to thousands of lawless persons.

The chain of troubles arises out of the mistaken wording of a paragraph of the state constitution, which provides that "all offenses" against the state shall go through the ancient common law routine, and that every offender shall have the right to "a speedy trial by an impartial jury"—should he insist upon it.

Constitution 1-14-30

The Proper Meaning of Crime.

In the convention that framed the constitution of the United States it was first proposed that in all criminal prosecutions under the United States the accused should have the right of trial by jury. But, on consideration, the language was unanimously changed to read: "The trial of all crimes, except in cases of impeachment, shall be by jury."

The word "crime" then had an ancient, definite and well understood meaning. It imported felonious character, moral turpitude, and punishment by death or long term imprisonment. It did not include those offenses which were merely mala prohibita, commonly known as misdemeanors, punishable by light fines and temporary local confinements in jails or on public works.

A jury was the traditional 12 men of the vicinage impanneled to serve in a court of record.

* * * *

Our System Is More Drastic.

It will be noticed that our criminal system is different and more drastic. Our constitution says "all offenses" against the state, without making any distinction between those that are felonies and those that are misdemeanors only.

Therefore every person charged with the violation of a state law must be indicted or presented by a grand jury. Consequently, in most counties a person charged with stealing an ear of corn out of a neighbor's crib may be held 5 months and 20 days in the county jail before the next court convenes and a grand jury can indict him. And all that time the honest taxpayers of the county must pay his board to the sheriff and his medical treatment bills should he become ill in jail.

* * *

Where Our Law Differentiates.

We do have in Georgia both felonies and misdemeanors, but the differentiation is in the mode and extent of punishment. There is no difference as to the right of trial by jury, or the need of a prior grand jury accusation.

What would signally aid the administration of criminal justice in the state would be an amendment of the constitution that would define and limit the category of felonies, assign lesser offenses as misdemeanors and provide for the prosecution of them, on accusations by county solicitors, before justices of the peace and without juries.

The supreme court of the United States has long ago ruled that a state may make just such provisions in its criminal system without offending anything in the constitution of the United States.

* * * *

Where We Got Our Felonies.

We have all too many felonies in our criminal code. There are scores of them that are properly only misdemeanors. Some of them are only that in every state of the union but Georgia.

After we recovered the state from the reconstruction usurpers we found the towns and country full of idle, loafing, pilfering negroes who got their living as chance might offer. They were raiding every back yard in the cities and villages and every farm chicken yard, pig pen and smokehouse or barn.

During the military regime that made General Tom Ruger governor of the state, he, in the absence of a close penitentiary which Sherman's army had burned down, invented a convict lease system. As fast as persons were sent to penitentiary terms he leased them to contractors for a price per head per annum. And when the real people recovered their government they found it convenient and profitable to continue the leasing system.

* * * *

Feeding Up the Felony Gangs.

As the business of the state improved, the railroad contractors, mine operators and brickyard owners needed more cheap labor and called for more convicts.

Thereupon the legislature began to create "enlarged felonies" for two reasons—to get rid of as many thieves as possible and to get more convict lease money for the state treasury. Consequently stealing chickens, pigs, hogs, farm produce, especially seed cotton, and selling such products between sundown and sunup were made into felonies.

Can anyone wonder, then, that we have a congested state of criminal jurisjrudence in Georgia, and that one of the urgent needs of the state is its thorough reformation?

SURVEY REVEALS FEWER NEGROES IN STATE'S PRISONS

Constitution 1-23-30

Decrease in the proportion of negroes composing the jail population in Georgia during recent years was noted in a survey released Tuesday by the press service commission on interracial cooperation.

The survey was for the eight years 1921-1928 and showed a decline of 11 per cent in the portion of negroes committed to jail in the state, the percentage dropping from 66 to 55. The number of negroes committed in 1928 was 24,893, as compared with 25,056 the preceding year.

INDEPENDENT AND EDITOR WIN FEDERAL PRISON FIGHT

Atlanta, Ga.

Independent

By Jesse O. Thomas.

On October 16, 1929, it will be remembered that some negotiations were entered into by Chatham County, Georgia, and the representatives of the Department of Justice whereby some 200 Negro prisoners were loaned to Chatham County for work on the public roads. The occasion for this innovation in the handling of the prison proposition as alleged was inspired by the overcrowded conditions at Federal prisons. About this same time it was reported that a similar number of white prisoners were transferred to the old military disciplinary barracks at Ft. Leavenworth, Kansas. The Atlanta Federal Prison was constructed to house approximately 1600 prisoners. The present population has more than doubled that number.

1/23/30

The usual chaingang method is not supposed to be in vogue in the handling of these prisoners, such as wearing stripes, armed guards or the wearing of shackles or chains. The government agreed to pay 60c a day per prisoner to Chatham County for boarding the prisoners.

While a great many individuals and organizations registered protest in such volume to arouse the members of Congress that ultimately resulted in a Congressional investigation, the first public voice that the writer heard raised in defense of these prisoners was that of the Atlanta Independent and of Editor B. J. Davis. Several scorching editorials calling for an explanation from the Department of Justice were written by Editor Davis and on more than one occasion the editorial was accompanied by laws and regulations governing the handling of U. S. convicts in general and a section of the Atlanta penitentiary in particular, as compiled and submitted by Attorney Walden part of which s quoted below:

Atlanta, Ga.

Section 10563, Federal Statutes, limits the employment of United States prisoners sentenced to the Atlanta prison. The section provides that, ". . . Provided, further, that convicts in United States Penitentiary in Atlanta, Ga., may be employed in the manufacture of articles and the production of supplies for said penitentiary; in the manufacture of supplies for the Government that can be manufactured without the use of machinery; in the construction, extension, and repairs of buildings and enclosures of the prison, and in making necessary materials therefor; and in the cultivation and care of the prison grounds and farms." March 3, 1901, C. 853, Sec. 1, Stat. 1185.)

RE: HIRING OUT UNITED STATES CONVICTS.

The pertinent and applicable laws of the U. S. are as follows:

"Section 10524—HIRING OUT UNITED STATES CONVICTS. "It shall not be lawful for any officer, agent, or servant of the Government of the United States to contract with any person or corporation, or permit any warden, agent, or official of any state prison, penitentiary, jail, or house of correction where criminals of the United States may be incarcerated to hire or contract out the labor of said criminals, or any part of them, who may hereafter be confined in any prison, jail or other place of incarceration for violation of any laws of the Government of the United States of America." (Feb. 23, 1887, C. 213, Sec. 1, 24 Stat. 411.)

"Section 10,625—SAME: PENALTY. "Any person who shall offend against the provisions of this act shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be imprisoned for a term not less than one year nor more than three years, at the discretion of the court, or shall be fined not less than $500 nor more than $1,000 for each offense." (Feb. 23, 1887, C 213, Sec. 1, 24 Stat. 411.)

"Section 10,527—WHERE SENTENCES FOR MORE THAN YEAR EXECUTED. In every case where any person convicted of offense against the United States is sentenced to imprisonment for a period longer than one year, the court by which the sentence is passed may order the same to be executed in any state, jail or penitentiary within the district or state where such court is held, the use of which jail or penitentiary is allowed by the legislature of the state for such purpose." (R S Sec 5541.)

"Section 10,563 — MANAGEMENT OF UNITED STATES PENITENTIARY OF ATLANTA. GA. TRANSFER OF PRISONERS: LIMIT OF EMPLOYMENT. (Quoted above.)

Observations:

1st. Section 10,524, above, is commonly known as the "United States Anti-Lease Act" of 1887, and was designed to abolish the practice of hiring and leasing Federal convicts.

If it is unlawful and criminal to hire or lease Federal convicts it would certainly be equally unlawful and criminal to turn them over to any other agency to work, opinion would authorize a restoration to their former place of detention upon a habeas corpus proceedings which might be brought in behalf of them or any one of them.

As a result of this agitation by individuals and agencies all over the United States, together with investigation on the part of the Federal law making body, the contract with Chatham County was revoked on January 9, 1930. It is significant that one of the convicts who has given so much of himself to add to their destructive quo- tient by sealing the life of a man police authorities to use every concrete results of the usefulness to and has earned many enemies be- would-be assassin. On this account his race, should be consummated cause of demands he has made for it appears significant that the at a time when there are pending the citizenship rights of his peo- for the return of the prisoners ly attacks being made upon his ple. It is surprising and gratifying from the chaingang of Chatham life and limb by a person or per- to see how enraged the community County to the Federal Penitentiary sons who perhaps have never made has already become as shown by at this time.

a single contribution to our com- the resolutions that are being munity welfare and who are seek- passed by various organizations

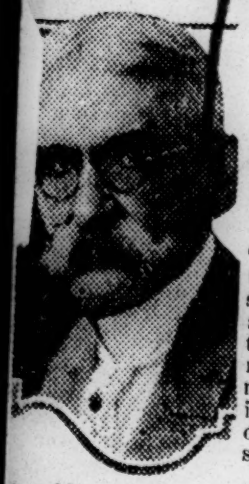
Crime - 1930

Georgia

LOOKING AND LISTENING

BY SAM W. SMALL

Why Our Criminal Courts Are Cluttered-Up and Justice Leaden-Footed.



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Our System Is More Drastic.

It will be noticed that our criminal system is different and more drastic. Our constitution says "all offenses" against the state, without making any distinction between those that are felonies and those that are misdemeanors only.

Therefore every person charged with the violation of a state law must be indicted or presented by a grand jury. Consequently, in most counties a person charged with stealing an ear of corn out of a neighbor's crib may be held 5 months and 20 days in the county jail before the next court convenes and a grand jury can indict him. And all that time the honest taxpayers of the county must pay his board to the sheriff and his medical treatment bills should he become ill in jail.

* * *

Where Our Law Differentiates.

We do have in Georgia both felonies and misdemeanors, but the differentiation is in the mode and extent of punishment. There is no difference as to the right of trial by jury, or the need of a prior grand jury accusation.

What would signally aid the administration of criminal justice in the state would be an amendment of the constitution that would define and limit the category of felonies, assign lesser offenses as misdemeanors and provide for the prosecution of them, on accusations by county solicitors, before justices of the peace and without juries.

The supreme court of the United States has long ago ruled that a state may make just such provisions in its criminal system without offending anything in the constitution of the United States.

* * * *

Where We Got Our Felonies.

We have all too many felonies in our criminal code. There are scores of them that are properly only misdemeanors. Some of them are only that in every state of the union but Georgia.

After we recovered the state from the reconstruction usurpers we found the towns and country full of idle, loafing, pilfering negroes who got their living as chance might offer. They were raiding every back yard in the cities and villages and every farm chicken yard, pig pen and smokehouse or barn.

During the military regime that made General Tom Ruger governor of the state, he, in the absence of a close penitentiary which Sherman's army had burned down, invented a convict lease system. As fast as persons were sent to penitentiary terms he leased them to contractors for a price per head per annum. And when the real people recovered their government they found it convenient and profitable to continue the leasing system.

* * * *

Feeding Up the Felony Gangs.

As the business of the state improved, the railroad contractors, mine operators and brickyard owners needed more cheap labor and called for more convicts.

Thereupon the legislature began to create "enlarged felonies" for two reasons—to get rid of as many thieves as possible and to get more convict lease money for the state treasury. Consequently, stealing chickens, pigs, hogs, farm produce, especially seed cotton, and selling such products between sundown and sunup were made into felonies.

Can anyone wonder, then, that we have a congested state of criminal jurisjrudence in Georgia, and that one of the urgent needs of the state is its thorough reformation?

SURVEY REVEALS FEWER NEGROES IN STATE'S PRISONS

Constitution 1-23-30

Decrease in the proportion of negroes composing the jail population in Georgia during recent years was noted in a survey released Tuesday by the press service commission on interracial cooperation.

Atlanta Ga.

The survey was for the eight years 1921-1928 and showed a decline of 11 per cent in the portion of negroes committed to jail in the state, the percentage dropping from 66 to 55. The number of negroes committed in 1928 was 24,893, as compared with 25,056 the preceding year.

INDEPENDENT AND EDITOR WIN FEDERAL PRISON FIGHT.

Independent

By Jesse O. Thomas.

On October 16, 1929, it will be remembered that some negotiations were entered into by Chatham County, Georgia, and the representatives of the Department of Justice whereby some 200 Negro prisoners were loaned to Chatham County for work on the public roads. The occasion for this innovation in the handling of the prison proposition as alleged was inspired by the overcrowded conditions at Federal prisons. About this same time it was reported that a similar number of white prisoners were transferred to the old military disciplinary barracks at Ft. Leavenworth, Kansas. The Atlanta Federal Prison was constructed to house approximately 1600 prisoners. The present population has more than doubled that number.

1/23/30

The usual chaingang method is not supposed to be in vogue in the handling of these prisoners, such as wearing stripes, armed guards or the wearing of shackles or chains. The government agreed to pay 60c a day per prisoner to Chatham County for boarding the prisoners.

While a great many individuals and organizations registered protest in such volume to arouse the members of Congress that ultimately resulted in a Congressional investigation, the first public voice that the writer heard raised in defense of these prisoners was that of the Atlanta Independent and of Editor B. J. Davis. Several scorching editorials calling for an explanation from the Department of Justice were written by Editor Davis and on more than one occasion the editorial was accompanied by laws and regulations governing the handling of U. S. convicts in general and a section of the Atlanta penitentiary in particular, as compiled and submitted by Attorney Walden part of which is quoted below:

Atlanta, Ga.

Section 10563, Federal Statutes, limits the employment of United States prisoners sentenced to the Atlanta prison. The section provides that, ". . . Provided, further, that convicts in United States Penitentiary in Atlanta, Ga., may be employed in the manufacture of articles and the production of supplies for said penitentiary; in the manufacture of supplies for the Government that can be manufactured without the use of machinery; in the construction, extension, and repairs of buildings and enclosures of the prison, and in making necessary materials therefor; and in the cultivation and care of the prison grounds and farms." March 3, 1901, C. 853, Sec. 1, Stat. 1185.)

RE: HIRING OUT UNITED STATES CONVICTS.

The pertinent and applicable laws of the U. S. are as follows:

"Section 10524—HIRING OUT UNITED STATES CONVICTS. "It shall not be lawful for any officer, agent, or servant of the Government of the United States to contract with any person or corporation, or permit any warden, agent, or official of any state prison, penitentiary, jail, or house of correction where criminals of the United States may be incarcerated to hire or contract out the labor of said criminals, or any part of them, who may hereafter be confined in any prison, jail or other place of incarceration for violation of any laws of the Government of the United States of America." (Feb. 23, 1887, C. 213, Sec. 1, 24 Stat. 411.)

"Section 10,625—SAME: PENALTY. "Any person who shall offend against the provisions of this act shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be imprisoned for a term not less than one year nor more than three years, at the discretion of the court, or shall be fined not less than $500 nor more than $1,000 for each offense." (Feb. 23, 1887, C 213, Sec. 1, 24 Stat. 411.)

"Section 10,527—WHERE SENTENCES FOR MORE THAN YEAR EXECUTED. In every case where any person convicted of offense against the United States is sentenced to imprisonment for a period longer than one year, the court by which the sentence is passed may order the same to be executed in any state, jail or penitentiary within the district or state where such court is held, the use of which jail or penitentiary is allowed by the legislature of the state for such purpose." (R S Sec 5541.)

"Section 10,563 — MANAGEMENT OF UNITED STATES PENITENTIARY OF ATLANTA. GA. TRANSFER OF PRISONERS: LIMIT OF EMPLOYMENT. (Quoted above.)

Observations:

1st. Section 10,524, above, is commonly known as the "United States Anti-Lease Act" of 1887, and was designed to abolish the practice of hiring and leasing Federal convicts.

If it is unlawful and criminal to hire or lease Federal convicts it would certainly be equally unlawful and criminal to turn them over to any other agency to work, opinion would authorize a restoration to their former place of detention upon a habeas corpus proceedings which might be brought in behalf of them or any one of them.

As a result of this agitation by individuals and agencies all over the United States, together with investigation on the part of the Federal law making body, the con-

tract with Chatham County was revoked on January 9, 1930. It is significant that one of the concrete results of the usefulness to his race should be consummated at a time when more and more ly attacks being made upon this life and limb by a person or persons who perhaps have never a single contribution to only some the resolutions that are being munity welfare and who are seek- passed by various organizations

CAMP GUARDS USE MACHINE GUNS TO MAKE MEN WORK

Tribune 1-10-30

Letter Reveals How Men Were Forced to Work In the Rain

Washington, D.C.

Federal prisoners in a Georgia road camp near Savannah almost participated in a riot here last Friday and only the machine guns of police officers of all Chatham county prevented an outbreak.

A special communication to the Tribune this week by a prisoner revealed the inside of the Federal camps and how the men are forced to work in all weather without sufficient clothing. At the risk of serious consequences this man told how men are herded into the road camps and beaten by brutal overseers called guards.

There are over 2,000 men in the camp from the Federal prison at Atlanta. They were sent by the United States Government to build roads in the counties of Georgia. The superintendent of Federal Prisons, M. Bates, recently was in Georgia and the letter tells how Mr. Bates had to make the road doctors send men who were in need of medical attention to hospitals.

On January 3, the men refused to go out in the rain to work and the captain of the camp summoned officers from all over the county, mounted machine guns in front of the prison door and threatened to kill all within if they refused to come out. The men were forced to leave the building.

The letter from the inmate in the camp follows:

The Letter

Tribune Savannah, Ga.
January 5, 1930.

"Mr. J. H. Maxwell.

"Dear Sir: 1-10-30

"I find the conditions and surroundings of Chatham County not as it should be. You ask me to write the facts about this place. Here are the facts:

"1. Our sleeping quarters are not sanitary.

"2. We only have one sheet, where we had two in the walls.

"3. We have not sufficient clothing to wear.

"4. Our medical care is not like it should be. Three men are here who need to be under doctor's care, but the doctor will not do anything to help them. Before we left Atlanta all were supposed to be examined, but it was never done. We were shipped here like cattle. In a way of speaking we did not know what it was all about. There was an inmate who needed an operation for appendix. This man's name is Jay J. Jones. Doctor said there was nothing wrong with him. They tried to make him work, but the man was so weak he had to stay in bed for four weeks, until Mr. Bates came. The day Mr. Bates arrived he made the doctor send the man to the hospital. The people here are under the impression we are desperate.

"One day while working some women wanted to get on the side we were, but went in another direction and remarked, 'There are those bad men from Atlanta.' I have taken the menu for three days, from December 31, 1929, to January 3, 1930.

"December 31, breakfast—Salted bacon, rice, wheat bread and coffee. Dinner—beef, rice, corn bread, sweet potatoes. Supper—ground beef, coffee, wheat bread.

Called Brutes

"January 1, breakfast—two apples, biscuits, salted bacon, rice, coffee. Dinner—roast pork, Irish potatoes, wheat bread, 2 apples, raisins, 1 orange, candy. Supper—salted bacon, wheat bread, coffee.

"January 2, breakfast—salted bacon, coffee. Dinner—cow peas, bacon, corn bread, sweet potatoes. Supper—beef stew, coffee, wheat and corn bread, sweet potatoes.

"January 3, breakfast—bacon, rice, wheat bread, coffee. Dinner—bacon, wheat bread, sweet potatoes. Supper—fried fish, coffee, sweet potatoes, wheat bread.

A Near Riot

"On January 3, 1930, we almost had an outbreak in camp. On the morning in question Dan Allen, the captain, wanted us to work in the rain. When Mr. Bates was here the captain made it plain we did not have to work in the rain, as we haven't sufficient clothing to work in bad weather. Later in the day about 10 a.m., they called for us again, and it was still raining. We did not go. Dan Allen called Judge West, who came out after dinner and raised hell because we did not go to work. He called us black sons of b—. We tried to explain in a quiet manner, but he would not listen to reasoning.

"Judge West asked Jim Menters, an inmate, some questions. West did not like the answers because they were facts and made Dan Allen, the captain, a lie. West ordered us all back to the barracks and then ordered Menters out. We refused to let Menters out because all of the guards had guns ready to shoot, and we knew they would kill him. Judge West called out all Chatham County police who had machine guns and pistols. They tried to make Menters come out, but all of us stuck by Menters and refused to let him go. Then the police came closed to the door with automobiles with machine guns in front of the door. We were forced to give the man up. I do not know what they did with him, but I think he was put in jail. We are treated like dogs. The people about here are dirty and uncouth and not fit to be over a prisoner."

"Yours sincerely,"

GEORGIA PRISONS

During the past two months especially, increased attention has been given the penal condition in this state. While a certain phase of it is superior to what it was many years ago, yet it smacks of the inhumane and the treating of unfortunate criminals worse than a certain type of animals. Fortunately this condition does not exist in all parts of the state, but those sections or counties with more improved systems have to be smuged in the entirety. The government's contract with the state for the caring of the convicts in Chatham county had much to do in attracting attention to the miserable penal situation in the state. Depicting Georgia prisons as an "out post of hell," Dr. E. D. Dudding, of the Prisoners Relief Society with headquarters in Washington, has written Gov. Hardman relative to it. With his letter Dr. Dudding also enclosed a dozen other letters in regard to the treatment of convicts in prison and road camps. The main letter is a scathing one as can be noted below: Tribune

"Working men in rain and sleet till they are dripping wet and then, when the day's work is done, go to camp with not a garment to change for the wet clothing, is bad. To sleep on the ground on a little pile of straw is also bad. To eat food such as is fed hogs is also bad.

1/23/30

"They are your subjects, not mine. How you expect to instill into the minds of these convicts honesty and right-living with this process is beyond me to contemplate. I should think that if they do a good day's work that they are, entitled to food and plenty of dry clothing. The clothing these convicts wear is cheap. One hundred dollars will buy quite a supply of overalls and work shirts. Savannah, Ga.

"Georgia prison camps have been equal to an outpost of hell for many years. I would like to see you square your shoulders and clean up the prison camps. The whole country will rise up to bless you.

"If the United States government knew the truth about your treatment to state and federal convicts it would bring about a feeling never before manifested since the civil war.

I have no axes to grind or grudges to carry out in this matter. I simply pass along to you the facts about your prison system. It's up to you and your people to improve the condition or else let it go on in its rotten state."

Villa Rica, Ga., Breeze
Friday, March 21, 1930

CHANGING COLOR

W.

The color of Georgia's prison population is rapidly changing from black to white. In a report just made by the department of public welfare it is shown that the proportion of negroes in the jail population of the state decreased 11 per cent during the past eight years. In 1921 sixty-six per cent of the jail population was made up of negroes and 34 per cent of whites. In 1928 the proportion of negroes had fallen to 55 per cent and that of the whites had increased 45 per cent. The number of negroes committed in 1928 was 24,893. The corresponding figures for the white group was 20,157. There can be but one conclusion and that is that the white people are becoming more lawless while the negroes are growing more law abiding.—Sylvester Local.

Crime-1930

Georgia.

News
PORTLAND
MAINE

JAN 13 1930

A WISE DECISION

THE DEPARTMENT OF JUSTICE last week cancelled the contract whereby more than two hundred Negro Federal prisoners were farmed out to the State of Georgia for road work. The Department's action followed severe criticism in Congress.

Objections to turning the Federal prisoners over to the State of Georgia were three-fold. First, since only Negroes were involved, the action constituted racial discrimination. Second, it came perilously close to peonage. Third, it displaced free labor at a time when relief of unemployment through increased public works programs was a great National need and had been pointed out as such by the President himself.

The Department of Justice, in making the contract, was motivated by a desire to relieve prison congestion. That crowding in Federal prisons is serious goes without saying. That confinement of two or three men in a cell four feet wide and seven feet long nearly constitutes "cruel and unusual punishment" and tends to create a sullenness obviating the possibility of reformation will be conceded.

Herding Negroes into road camps in a State where race prejudice is strong, however, seems even more cruel than dumping them into narrow cells, two and three together. The lash that cut the bared back of the slave before the Civil War is not unknown in Southern convict camps, even though it is not charged that thus far it had cracked above the Federal prisoners now to be returned to the cells from which they were taken.

Even if the Negroes were to have been given treatment the most humane in the Georgia road-camps, their employment for roadbuilding at this time would have been unjustified. Free men out of work need the jobs the convicts would have filled; who can estimate the suffering, the want of the bare necessities of food, clothing and shelter, the lack of employment caused by use of convicts for building Georgia's roads might have caused the families of some citizens of Georgia!

Thursday's decision of the Department of Justice serves the real interests of the prisoners concerned, not only, but of the people of the State of Georgia as well.

NEWS & COURIER
CHARLESTON, S. C.

JAN 19 1930

Social Equality in Jail

Two hundred negro convicts in the federal prison in Atlanta were leased to the convict commission of Georgia, to work on the roads, but the contract has been cancelled by the office of the attorney general of the United States, the Society for the Advancement of the Colored People having objected to the "discrimination." This society doubtless believes that negro thieves, or forgers are good enough to associate with white thieves and forgers. It may be. Anyway, a mighty blow has been struck for social equality of the races. A colored counterfeiter presumably is allowed to sit at table with a white postoffice robber.

Members of congress, Democrats among them, criticized the lease on the ground that it would take employment from free labor. One supposes that no one will be required to work for the support of these convicts when they do not work for themselves. Taxpayers will do nothing to maintain them in idleness—anyway, Senator "Bob" Wagner of New York seems to think so. Probably he fancies that free laborers do not pay taxes when they buy cigarettes. He is not puzzled. We are. How to have prison population maintained as a leisure class without some other class paying the bills only politicians and some of the labor leaders can understand, and if this country contains any laboring people who do not pay taxes we have yet to see one of them.

Probably if some of our earnest friends could have their wish realized that two or three millions of the "felons" who encourage the bootleggers be sent to jail, the unemployment problem would be solved. The citizens out of jail would have plenty to do, they would have to work like—the dickens, so they would.

Were all the white conspirators who violate the prohibition laws, the buyers, the transporters, and the drinkers of "liquor" imprisoned, the colored people in the federal prisons would certainly be in "society" at last and The Society for the Advancement of the Colored People might sing the doxology and adjourn sine die, having achieved its objects.

The News and Courier has out of date notions. It does not believe that a bootlegger or a moonshiner is depraved, as a burglar, thief, or bank defaulter is. It thinks that violators of the liquor laws—and smugglers—belong to the more respectable criminal classes. It holds that even in prison there should be a measure of separation of the races. A great many better people than we are think differently—they are convinced that white bootleggers and black bandits should be locked up together. That is what they vote for here in South Carolina when they vote for and uphold federal prohibition, whether or not they mean to do so.

By the way, in South Carolina bootlegging and moonshining seem to be for the most part white folks' jobs. The negroes have a lowly part in them. The Society for the Advancement of the Colored People is apparently doing nothing to check this form of Southern racial discrimination.

JUDGES REPORT ON CHAIN GANG.

agi 1/25/30

The Atlanta Independent, of which the redoubtable Benjamin Jefferson Davis is president and editor, a few weeks ago sought to drag Judge J. A. Cobb of the Washington Municipal Court and Judge Bates of the Federal Parole Board into the matter of the transfer of Federal prisoners to the Georgia chain gang. It was stated that when the legality of the transfer was first questioned by that paper these two jurists were sent by the Department of Justice to investigate the physical conditions of the Chatham County chaingang. According to the Independent, these investigators "reported conditions good, and that the convicts were better satisfied in hangars than they were in the million dollar steamheated Atanta prison."

The Georgia editor wanted to know among other things, why these two men were sent to make an investigation, that should have been made before the contract was signed for the transfer. Dissenting from the conclusions of the report, that the Georgia penitentiary was a fit place for the retention of convicts, it was stigmatized as "the first report of the kind ever made in the state. The convict camps have been generally reported as everything but being fit for human habitation." Here the editor seems to make no distinction between the penitentiary and the convict camp, perhaps because there is not any.

The Independent charitably assumed that Judges Cobb and Bates spent possibly one day in Savannah and found everything O. K. with the camp. But it wondered what they would thing when they read the report of the National Society of Penal Information on Georgia prison conditions, which was the result of years in making, and found everythng wrong and a disgrace to civilization. We quote the Independent:

> The society found that the convicts are at the mercy of the county chaingang bosses; and the state has but little control over the convicts after they reach the county authorities; that the cage wagons, okehed by Cobb and Bates engendered unnatural vices. The society found that in no other state were prison conditions so intolerable as in Georgia, but Cobb and Bates said everything was spick and span in the pen and cage wagons.

The Independent printed lengthy extracts from the report of the Society setting forth the evils of the Georgia prison system, which it commended to Messrs. Cobb and Bates, to "wrestle with their consciences over the report they made." As the Department of Justice has given notice that the contract for the transfer of Federal prisoners to the Chatham County camp will be cancelled, that feature of the situation is eliminated. But if the Georgia prison system is still as bad as the National Society found it, a reorganization is demanded in the interest of the state and its prisoners

FEDERAL CONVICTS IN CHATHAM MUST RETURN TO PRISON

Department of Justice Orders Contract for Work on Roads by 200 Negroes Cancelled.

As the direct result, it is believed, of congressional criticism, federal prisoners "loaned" to Chatham county for work on the public roads several months ago are to be returned to their cells here, it was stated Thursday. Constitution

The return of these men will boost the population of the prison at least temporarily to almost 4,000. The census taken about January 1 showed approximately 3,850 men were confined here. The prison was built to accommodate 1,600 men. 1/10/30

Judge George W. Tiedeman, chairman of the Chatham board of commissioners, said the move was a surprise to him. The justice department's action follows severe criticism of the transfer to Chatham by a number of senators and congressmen, several of whom likened the move to the old "lease" system. Atlanta,

Though Chatham county officials and officers in charge of the federal prison had not heard of the directed transfer, it was learned that the department of justice at Washington has issued orders for the return of 100 prisoners already sent to camps near Savannah. The second quota of 100 men had not yet been sent to Savannah. The prisoners are expected back in Atlanta by or before March 15. All of them are negroes.

Warden A. C. Aderhold, of the federal prison, said Thursday night that he had not yet been advised by the department of justice that the men now at Savannah were being returned. Conditions are still crowded at the prison, Mr. Aderhold said, but added that the men could be taken care of without difficulty.

"We cannot turn them away from here for lack of space," the warden said jokingly. "We have to make room for all comers."

Contract for 200.

Chatham county several months ago entered into a contract with the department of justice whereby 200 men were to be transferred to the gangs of that county. The federal government was to pay for their food but they were otherwise to be sustained by Chatham county. Only 100 of these men have been sent to Savannah.

The arrangements with regard to the employment of federal prisoners in Chatham county camps are entirely between Chatham county and the United States government, and the state prison commission has nothing to do with the matter, E. L. Rainey, chairman, stated last night.

He said that he had not received notice of the cancellation of the contract and had no comment to make.

Return of the prisoners to Atlanta is said to have been made possible by the transfer of a number of prisoners to the old military disciplinary barracks at Fort Leavenworth which were ordered turned over to the department of justice to relieve overcrowded conditions in the federal prisons and reformatories.

SAVANNAH IN DARK ABOUT U. S. DECISION.

SAVANNAH, Ga., Jan. 9.—(AP)—George W. Tiedeman, chairman of Chatham county commissioners, said this afternoon that he had heard nothing of the proposal to remove federal prisoners from Chatham county.

Judge Tiedeman said that the head of the bureau which handles this matter has been in Atlanta for several days, according to his information, but he has not communicated with Chatham county commissioners.

JUSTICE DEPARTMENT CANCELS CONTRACT.

BY ELLIOTT THURSTON.

WASHINGTON, Jan. 9.—(Special.)—Less than a month after the disclosure of the terms of the three-year contract whereby the department of justice proposed to hand over 200 negro prisoners in federal jails to the state of Georgia to be used as laborers, the department has decided to cancel the contract as of March 15.

The department of justice late today announced this abandonment of a policy which had been roundly scored in congress.

Defended by the department as a method of relieving prison congestion, the policy established by the contract was denounced as discriminatory by negro organizations and was assailed by Senators Wagner, Borah and others as a step backward to the evils of convict leasing days and as an interference with free labor at a time when business conditions threatened unemployment.

Wagner Led Opposition.

Immediately after exposure, December 14, Senator Wagner introduced a resolution in the senate, which was unanimously passed demanding explanation from the department of all the facts surrounding this contract, and also questioning its legality. He said on the floor that no authority existed in law to make such a contract, entirely aside from questions of its wisdom.

Although Attorney General Mitchell defended the course both in response to the senate resolution and as prison commission of Georgia that the contract recently made for the boarding of certain federal prisoners in Chatham county, Georgia, dated October 16, 1929, will be discontinued on and after March 15, 1930, in accordance with a provision in the contract allowing either party to terminate it on 60 days' notice.

"On January 3 a portion of the prisoners at this point refused to go to work and it was necessary to discipline three of the prisoners concerned by returning them to the Atlanta penitentiary. It is apparent that the inmates are aware of the discussion that has been going on with reference to this camp and it is likely that the morale and discipline, which ought to be strictly maintained in a camp such as this, would be difficult to preserve.

"The department feels justified, therefore, in withdrawing the privilege which it has extended to these men and at the time set they will be returned to the penitentiary.

"The bureau of prisons is transferring 300 men from Atlanta to the disciplinary barracks in Leavenworth and this makes it possible to return the prisoners now located at Chatham county to Atlanta providing other arrangements cannot be made before March 15."

Sanford Bates, superintendent of prisons, negotiated the now cancelled contract for the purpose, he explained, of relieving prison congestion. Senators and others who criticized the contract held, however, it smacked of "indentured or forced labor which has been condemned by the entire civilized world."

Senator Wagner also emphasized that free labor would be injured by the importation of convict laborers to build roads and do other public work, and that this was especially untimely when the movement was on to keep employment on an even keel.

JUDGE COBB AND THE TRANSFER OF FEDERAL PRISONERS.

When the Independent first raised the question of the legality of the transfer of federal prisoners from the Atlanta prison to the Chatham County chaingang, the Department of Justice dispatched Judge J. A. Cobb, of the Municipal Court, Washington, D. C., and Judge Bates, of the Federal Parole Board, to make an investigation of the physical conditions of the Chatham County chaingang. These gentlemen reported conditions good, and that the convicts were better satisfied domiciled in hangars than they were in the million-dollar steam-heated Atlanta prison.

Why these men were sent to make an investigation that should have been made before the contract was signed for the transfer, a good many people would like to know.

Judges Cobb and Bates reported that the Georgia penitentiary was a fit place for the retention of the convicts, the first report of the kind ever made in the state. The convict camps have been generally reported as everything but being fit for human habitation.

We have just been wondering what Messrs. Cobb and Bates would think when they read the report of the National Society of Penal Information on the Georgia prison situation. Cobb and Bates spent possibly one day around Savannah and found everything O. K., and the society spent years making an impartial survey and found everything wrong and a disgrace to our civilization.

The society found that the convicts are at the mercy of the county chaingang bosses, and the state has but little control over the convicts after they reach the county authorities; that the cage wagons, okehed by Cobb and Bates engendered unnatural vices. The society found that in no other state were prison conditions so intolerable as in Georgia, but Cobb and Bates said everything was spick and span in the pen and cage wagons.

But let the report speak for itself, while Messrs. Cobb and Bates wrestle with their consciences of the report they made. The report said in part:

In Hands of County.

"For all practical purposes, at least, the state prisoners are in the hands of the warden of the county, who, as he is paid by the county and responsible to do it for getting road work done, is certain to be more impressed with his responsibility to the county than to the state.

"Prisoners in Georgia receive no wage. On discharge they are given civilian clothing not to exceed $8 in value and a railroad ticket to the station nearest the place of their conviction, even if their home is in another part of the state. When they get off the train with neither money nor a job, they are liable to arrest and reimprisonment as vagrants. The Sheriff and some court officers are paid on the fee basis in most counties. The fee system is everywhere a vicious one, but in no other state do conditions make it so intolerable as it is in Georgia.

Lack of Central Control.

"The absence of any centralized control may explain the poor quality of medical service and the lack of any common standards of planning, constructing and keeping the buildings up to sanitary standards. Some of the counties visited, such as Bibb, Cobb and Floyd, have developed quite good housing facilities, but others in their arrangement, construction and upkeep are a disgrace to the state, county institution though they be.

"The cage wagons were put in use when most of the convicts were negroes. In recent years a marked increase of white and a corresponding decrease of negro prisoners is noted. This type of housing was never satisfactory. Change in public opinion, the rise in standards of sanitation and the change in population together make urgent the discontinuance of this primitive form of housing.

Breeders of Vice.

"The use of cage wagons may save wages of guards, but the crowded wagons and lack of supervision create conditions in which unnatural vice inevitably runs rampant, conditions which no state can afford to be responsible for. Cage wagons have no proper use today unless for exhibition as historical curiosities.

"The equipment as a whole is defective in most camps. The only bathing equipment in many is tubs in the open air. In cold weather this means that no baths are taken, a condition not found or tolerated in any state.

"The state has no real voice in the selection of the warden or deputies, and little knowledge of and no real control over the state prisoners after they are turned over to the counties. The organization is defective and the methods of discipline it fosters are vicious.

Georgia at Bottom.

"Georgia exceeds in size and wealth most of the nearby states, but its prison system must be placed at the bottom of the list. Alabama has reorganized its prison system quite effectively. Georgia should reorganized its entire system before serious scandal or the refusal of the counties to take state prisoners—not a remote possibility—creates an emergency of a grave nature. Such a reorganibation in Georgia is involved to an unusual degree with the tax system and the penal code of the state. The prison system may not be the only, or even the primary, reason for a new code, but the urgent needs of the prison system alone more than justify it. State pride should unite with other reasons for reorganization and transforming the penal system."

Crime—1930

Illinois.

Negro Held For Bank Robbery In Illinois

CHESTER, ILL., June 5.—(AP)—Robert Henderson, 25, negro who said he was a former student at Tuskegee Institute, Ala., was in jail here today following robbery of the State Bank at Baldwin, Ill., early this morning.

Henderson secreted himself in the bank and forced the cashier who opened for the day to open the vault. He escaped with $5,000, but dropped the money when posse gave chase.

Henderson was captured after an exchange of shots with the posse. He was wounded in the right shoulder. The negro told officers he hoped to finance his return to the Alabama school with money obtained in the robbery.

Crime-1930

Indiana.

STATE ASKED LIFE TERM FOR KILLER

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Husband Shot Down In Company with Woman Paramour

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TERRE HAUTE, Ind., Feb 26.—Mrs. Viola Moore, 29 years old, socially prominent, on trial here in Circuit court for the death of her husband, Lloyd Moore, was found guilty of manslaughter by a verdict of the jury reached at Thursday evening and presented in court Friday morning of last week.

Sentence Deferred

The verdict carries a penalty of two to 21 years in the woman's prison.

Judge John P. Jeffries deferred passing sentence on Mrs. Moore at the request of her attorneys who asked for time to determine if an appeal should be taken in event a formal motion for a new trial was refused.

Insanity Plea Entered

Moore was shot and killed by his wife last April when she found him in an automobile with another woman.

During the trial, Mrs. Moore, who entered a plea of insanity to the charge of murdering her husband, wept and sobbed when her attorney pictured her in his address to the jury as a woman who had loved her husband with an unending love only to lose him in the end to a younger woman.

Was Faithful Wife

Attorney Shafer told the jury that Mrs. Moore was a woman who loved her husband so much that she kept boarders and took in washings in order to provide a home for him, even at a time when she was physically unable to do so. He said that even after Mrs. Moore discovered him running around with other women she continued to love him until she found him in the arms of a Anna Bell Lewis on the night of the shooting.

It was at this juncture of her attorneys impressive plea in her behalf that Mrs. Moore broke down and cried.

Six Shots Fired

The fact that Mrs. Moore saw her husband with the girl and walked almost three blocks to her home to get the gun with which it is said she shot at her husband and the girl six times, was emphasized by Assistant Prosecutor DeWitt Owen in the argument to the jury for the prosecution.

According to the assistant prosecutor, this was sufficient time to allow Mrs. Moore's passion to cool off unless she was intent upon the shooting of her husband. Mrs. Moore is alleged to have remarked to the police after the shooting, "I shot my husband and if I didn't kill him, I meant to."

Lover Of Peace

A number of witnesses testified as to Mrs. Moore's good reputation for peace and quietude in the neighborhood in which she lived.

The Rev. Johnson, the first witness to take the stand Wednesday morning testified that on July 4, 1925, he saw Lloyd Moore strike Mrs. Moore with what appeared to him to be an ax handle, knocking her to the ground.

Doctor's Testify

Wednesday's evidence consisted largely of testimony by Doctors J. J. Hoover and I. H. Schloss as to Mrs. Moore's physical condition from 1925 to 1929. Each of the physicians qualified as an expert. The progress of Mrs. Moore's illness which he named as "ovaritis salvingitis and chronic appendicitis," was related to the court by Dr. Hoover. When asked by Atty. Shafer for the defense, if Mrs. Moore was, in his opinion, insane at the time she shot her husband, Hoover replied in the affirmative. Prosecutor Littlefield's cross-question as to whether Mrs. Moore was not merely nervous, went unanswered. The St. Anthony hospital record of Mrs. Moore's illness at the time of an operation, which she underwent there in 1928, was produced in court by Dr. Schloss.

Physicians' Testimony Attacked

The Doctor's testimony was interpreted by Attorney Shafer and associate, Slunkard, as contributing factors to Mrs. Moore's insanity. Littlefield and Deputy Prosecutor DeWitt attacked this testimony in an effort to cause the physicians to admit that Mrs. Moore's complaints were no more than ordinary disorders of regular occurrence.

Taken To Sanitarium

Police officers testified that they arrested Mrs. Moore on the evening of April 27, 1929, shortly after the shooting and that she told them she had shot her husband and a girl at 22nd street and Maple avenue. The officers testified that after they had arrested Mrs. Moore, they took her to the Dr. Hoover sanitarium in Eighth Ave., where her husband and the Lewis girl had also been taken. When she saw the Lewis girl, Mrs. Moore is alleged to have remarked, "You're not the girl I thought you were, but I'll teach you to stay out of married men's cars."

Statement To Police

The statement which Mrs. Moore made to the police on the night of the shooting was then introduced as state's exhibit C. It said in substance "I saw my husband in the car with a girl. I knew he had been running around with other girls. I went to my home and got my gun, and went back to twenty-second and Maple, where they were sitting in the front seat of the car. I fired several shots at my husband and the girl. I don't know how many, because I was too excited. They got out and ran, so I got in the car and drove to my home."

FT. WAYNE, IND.
NEWS-SENTINEL

AUG 30 1930

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NO ACTION IS TAKEN

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INDIANAPOLIS, IND.
STAR

OCT 18 1930

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That statement was made in a talk on crime conditions in Indiana and in the country at the rally day exercises of the men's Bible class of the Fountain Street M. E. Church yesterday by Howard C. Smith, member of the Indiana crime commission and of the staff of The Star.

"The very guardians of law and order, the very protectors of the public stand forth, in the lurid light of these disclosures, as base violators of all law, as protectors and accomplices of the gangsters they are supposed to combat and as despoilers of the very public they are appointed —and paid—to ward and guard," the speaker said.

On Marion Lynchings.

Discussing the Marion lynchings, Mr. Smith continued, "These lynchings are surely worthy of official notice and of careful attention by private individuals when citizens in that community say with grim satisfaction that by the lynching process two criminals 'got what they had coming to them' where so many others have been escaping without getting it.

British Isle Figures Told.

Urgency of the need for a solution of the crime problem was emphasized by the speaker. Murder rates of the United States in comparison with other countries were cited to show the magnitude of the problem.

"Indiana last year reported 213 instances of violent taking of a human life at human hands," he declared. "England and Wales reported, on the latest figures available, 268 murders a year. If murders occurred in those countries at the same rate as they occur in this state, they would have the very sizeable total of 2,534 each year, instead of the 268 they now report.

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A Cure For Crime

NINE out of ten cutting scrapes and five out of seven shooting frays in November involved Negroes exclusively. The tendency to cut and shoot each other in Gary and elsewhere seems to be preponderantly an Aframerican characteristic. The light in which such imbroglios is viewed by authorities probably does more to permit its continuance than any single factor. Punishment in such cases is light: as a rule the culprit escapes with only a light sentence of from sixty days to six months instead of from one to ten years. Is it any wonder that the habit persists?

Of the last three murder cases tried, only one resulted in a conviction. The other two defendants went scot-free. The convicted man was given a life sentence, which is almost unique in the history of local crime where only Negroes are concerned. Those convicted are generally given sentences of from two to twenty one years after the charge has been changed to manslaughter.

When the case involves people of different races it is not nearly so easy to get a light sentence. Evidently it is a greater crime to wound or slay a white man than to injure or kill another Negro.

The only way to curb cuttings and shootings and all forms of felonious assaults is to show the guilty persons that such will not be tolerated and that they will be punished to the full extent of the law. With the certainty of punishment to fit the crime, those who contemplate such activities will undoubtedly pause and consider a second time.

On the streets of Gary men and women walk about today who have killed fellow-humans or else have maimed and disfigured them for life. They know of the luke-warm attempts at punishment and that they may do practically as they please with little chance of suffering commensurate penalties. Should they again be afflicted with the lust to stab, shoot or kill, they will probably give the matter little thought. And their friends, knowing how easily they have escaped the grip of the law, cannot but be impressed should they have a desire to wreak bodily injury on fellow-beings.

There is far too much of this thing called "pull" in evidence. Word passed around that the culprit is a good precinct worker fraternal man, an old citizen of Gary, or a settled man; while the victim is a person of questionable character, ill repute, and of no good to the community, has done much to halt the trend of justice. It should never be a question of personalities, for the lowliest Garyite has as much right to protection as the richest and most prosperous man of affairs. The law was designed to protect all people.

The courts would do well to mete out the same punishment to all. The fact that the victim and the culprit are both members of the same race should not cause a lowering of the bars nor a lessening of the punishment. The only way to curb the tendency to knife, shoot and kill is to make it understood that those guilty will be tried on the merits of the case and not according to their race.

Crime-1930

Kentucky

Negro Pulled Lever For Help; It Cost Him $100

Adventure

LOUISVILLE, KY., Feb. 17.—(AP)—Eugene King, 25, Macon, Ga., negro, learned early today he could get quick action out of the Louisville Fire Department but the experience cost him $100. He pulled the lever in a downtown fire alarm box and explained that he had been robbed and the police had not answered his cries for help. Police Judge Fred Starck told him that in Louisville nobody can turn in a fire alarm unless there is a fire.

THE NEGRO AND THE ADMINISTRATION OF CRIMINAL LAW IN JEFFERSON COUNTY

News

(By Hon. C. Eubank Tucker, Attorney at law)

After a long and careful observation of the operation of Criminal Law in this City and County as it pertains to the Negro, the writer is forced to the inevitabble conclusion that as a race we fare exceedingly well at the hands of the jury, judges and prosecuting officers of this County—and that justice and fair play are the shibbobiths that govern the attitude of these officials in the disposition of cases where the race is concerned.

The statement that one hears peddled around in a loose and irresponsible manner that the Negro does not get justice in the Courts, and tha he is railroaded o the penitentiary without a proper regard for his legal and constitutional rights—is not only perverted, but is a cosmic, monumental and unblushing prevarication. If the truth is to be told, it must be admitted that when there is any "shadow of turning" in the operation of the Law it is in favor of the Race rather than against it. This is not only true on the part of the jury—but also on the part of the prosecuting officials and judges when recommendations for punishments are made for those who make guilty pleas and seek the mercy of the Court. These facts ought to be known to the public, a very few of whom ever have the opportunity of seeing the tribunals of justice in operation, and whatever opinion they have on matters of the kind often comes from persons who are mentally incapable of entertaining an intelligent opinion of such affairs.

Judge Burgevi, the eminent jurist who presides over the Criminal Division of the Circuit Court, Judge Starck the large hearted humanitarian who guides the destinies of the Police Court, Judge Fox the scholar and gentleman who controls the deliberations of the County and Juvenile Courts, Commonwealth's Attorney Clarke Otte and his splendid corps of assistants, Prosecutor Stanley Briel and his Aides of the Police Court, County Attorney Harris Coleman and his prosecuting associates of the County and Magistrates' Courts are all men of high calibre and standing obsessed with no other desire than to see that even handed justice is meted out to all men irrespective of race of color, and as a Race we ask nothing more than an equality before the Law. The Republican Party of this city and County must be congratulated in the selection of these gentlemen as its law administrative and enforcement officers. If the legal rights of Negroes are to be preserved in this County—it is imperative that the Republican Party be kept in power for all time to come.

Crime - 1930

Kentucky

WHITE MAN COULD NOT HIDE BEHIND BLACK MAN IN MURDER CASE

Court of Appeals Upholds Life Sentence For Wife Murderer.

Frankfort, Ky., Jan. 22.—Lewis Hill, white, of Lexington, Ky., who was convicted of killing his wife with a hatchet in March 1926, will have o spend the remainder of his life in he penitentiary, said the Court of Appeals Tuesday when it upheld the erdict of the Fayette Circuit Court.

Hill's killing his wife—or any white man killing his wife—is no special news to Colored readers of a Colored newspaper. The News comes in this: Hill tried to hide by the old alibi that "a Negro did it." Usually that racket works but Hill could not work it.

Hill's wife was found dying with hatchet wounds by his 9 year old daughter. She returned home from school March 22, 1926. Later the child found her father in the cellar of the home in an apparent unconscious condition with a hatchet wound in his head. When Hill "came to" he said he and Percy Lewis, a Colored preacher, were fixing a water heater in the cellar and got into a fight. Lewis he said smote him in the head with a hatchet. So te defense was Lewis killed Mrs. Hill to keep her from telling who killed Mr. Hill, who did not die. But Lewis proved he was nowhere near the Hill home on that day, so Hill was convicted of the murder. Hill had five trials, getting a death sentence one time.

Crime-1930 Louisiana

Negroes Will Hang For Robbery Murder

Bastrop, La., Jan. 22.—(AP)—In a trial that excited the greatest interest in this section since the famous Mer Rouge investigation eight years ago, two negroes, Joe Winn, 19, and Irston "Bo" Webb, 26, were convicted by a jury of robbing and slaying Bob Lee, a white man, and will be sentenced Friday to death by hanging.

Selection of the jury was completed last night and a verdict of guilty of murder was returned within two hours after the jurymen retired. No testimony was offered in defense of the accused.

Two Negroes To Die For Murder Of Man

BASTROP, LA., March 6.—(AP)—The first legal execution in Bastrop in more than a quarter of a century will be carried out tomorrow between noon and 3 o'clock in the afternoon when Joe Winn and Bo Webb, negroes, pay with their lives on the gallows for the brutal murder of Bob Lee, aged white man, in Morehouse Parish last July.

The pair first were held sane by a sanity commission. Later a jury of 12 men held them sane. A second jury of 12 men pronounced them guilty of first degree murder. They have been held incommunicado in the Ouachita Parish jail.

Robbery was assigned as the motive in the murder of Lee whose body was found in a river.

Policema Die For Killing Negress

NEW ORLEANS, April 3.—(AP)—Charles Guerand, 29, former policeman, was convicted tonight of the murder of Hattie McCray, 14-year-old negro girl. The verdict which carries the death penalty was returned after 45 minutes' deliberation.

Testimony offered during the trial was that Guerand admitted after the killing of the girl that he had shot her when she repelled his advances. The shooting occurred in a restaurant where the girl was employed.

Veteran jurists and attorneys said the conviction of the former officer was the first time in their recollection that a white man locally had been found guilty as charged of the murder of a negro. No number have been found guilty of second degree murder for killing negroes.

NEW ORLEANS JURY VERDICT MAKES HISTORY; GREETED BY STUNNED SILENCE IN COURT

Never Before Has White Person in South Been Given Death for Killing A Negro; Out 45 Minutes

NEW ORLEANS, La.—Charles Guerand, white, former emergency policeman, who shot and killed Hattie McCray 14-year-old colored girl on February 11, was judged guilty of murder in the first degree by a jury here Thursday night. The verdict carries the death penalty automatically. The jury was out only forty-five minutes.

First Time in History

This is the first time in the history of this city and perhaps in the whole South when a white man has been sentenced to death for slaying a Negro.

When the jury returned and read its verdict, the crowded courtroom sat in stunned silence. The New Orleans Times-Picayune in its news story said:

"Veteran jurists and attorneys declared Guerand's case was the first in their memory of New Orleans criminal history where a white man had been sentenced to die for the slaying of a Negro. Several verdicts stipulated guilty without capital punishment have been returned, but never the death penalty, they said."

Witnesses told of the attempts Guerand had made to get the girl to accede to his wishes and how she had repeatedly repulsed him. On the day of the killing he visited the restaurant where she was a dishwasher, went back into the kitchen and tried to force himself on her. When she resisted, he shot her dead with his police pistol.

Officers who arrested Guerand testified he was not drunk as he contended and that he talked coherently and did not stagger.

Called a Just Verdict

The New Orleans branch of the N. A. A. C. P. employed a special attorney, Chandler C. Luzenberg, sr., to assist the district attorney in the case.

Editorially, The Times-Picayune called the death penalty a just verdict. The editorial:

A verdict of "guilty as charged" was returned in the criminal district court last Thursday night against a former policeman tried for the murder of a 14-year-old Negro girl. The form of the verdict automatically prescribes death as the penalty. This is said,, in local court circles, to be the first 'capital punishment' verdict ever returned by a New Orleans jury against a white man tried for the murder of a Negro.

From the published summaries of the evidence introduced at the trial it appears that the defendant, then a supernumerary police officer, sought this 14-year-old girl out in the restaurant kitchen where she was employed and tried to persuade or frighten her into compliance with his lustful proposals. When she repulsed his advances that were rendered more contemptible by his official position, the unfortunate girl was shot down and killed. The defendant's defense was intoxication, but officers who arrested and questioned him immediately after the crime testified that he could 'converse coherently, did not stagger nor appear drunk in the strict sense of the word," and gave a statement presenting his version of the tragedy at the precinct station.

If the circumstances in this case had been reversed—had the slayer ben a Negro and his 14-year-old victim a white girl—the crime would have aroused a storm of indignation throughout the community, and the capital penalty would have been imposed as the only punishment fitting the offense. Its heinousness is if anything agravated, as we see it, by the fact that the murderer was both a white man and a police officer and his youthful victim one of the humblest members of the Negro race. The trial jury, composed entirely of white citizens, deserves community approval and thanks for prescribing the penalty provided, by the white man's law and civilization, for crimes of just such heinous and revolting type as was proved convincingly to its 12 members in this case. Its verdict constitutes a vindication of law and justice that will be approved by decent and and fair-minded citizens of both races.

Negro Killed In Riot Of Convicts

BATON ROUGE, LA., Aug. 26.—(AP)—A convict riot involving one fatality and an undetermined amount of injury which occurred yesterday at a private rice farm worked with convict labor near New Roads in Point Coupee Parish, was revealed today in a long distance telephone message from Pointe Coupee officials.

According to Dr. M. O. Becnel, parish coroner, Curtiss Blackwell, 19-year-old Orleans negro, serving nine to 14 years for assault and robbery, was killed in the riot.

The general penitentiary officers disclaimed any knowledge of the affair, and in the absence of the warden, J. J. Mixon, declined to give out any information in confirmation or denial.

NEGRO WOMAN LOSES SUIT AGAINST LONG

BATON ROUGE, La., Nov. 10.—(AP)—A damage suit for $25,000 brought against Governor Huey P. Long and others by the widow of a negro convict who was killed by a trusty guard from the state penitentiary in a prisoners' riot last August, was dismissed in district court here today.

Judge W. Carruth Jones, in an oral decision handed down after submission of the case on briefs by opposing counsel, held that the widow had "no right or cause for action."

Crime - 1930

Maryland

1929 ARRESTS SHOW INCREASE OVER 1928

24,688 Taken into Custody for Minor and Serious Crimes.

ONE HANGING CASE

"Numbers" Arrests Swelled Year's Total.

With 219 more felonies being committed than in the previous year, serious crimes showed an increase in Baltimore during the year 1929, a study of records by AFRO-AMERICAN reporters disclosed.

Although crimes of a serious nature were on the increase, minor violations took a decisive drop with a decrease of 1,201 cases. This brings the year's number to 982 less arrested in 1929 than in the previous year.

24,688 Arrests

There was a total of 24,668 arrested in the eight police precincts. These figures do not include traffic violations. The largest number was in the Northwestern district where 9,071 arrests were made during the year. The Northeastern was second with 5,007 while the Southern police district was third with 4,189 cases.

The period between September 1 and December 31 semed to have been the month most conducive to petty and serious crime. It was during this period that the totals in all police stations reached their highest peak. The lowest came between the months of February and May.

Facts developed from a study of the ages of those arrested, of the 119,021 white and colored violators, show that a majority of those taken into custody ranged between 27 and 40 years of age.

More Fines

Although a survey of the fines paid in local police courts has not been completed, police department officials state that there is evidence of a larger amount this year than that of 1928, which was $79,136. The figures for ten months of 1929 show that $72,836 was paid. The last two months have not been completed.

An interesting observation was that again for the second year in succession, single men and women outnumbered the married by a small margin. Many of the minor arrests came, it is shown, by week-end raids on parties where large numbers were assembled.

The most outstanding fact in the disclosure was that 67 persons were arrested here on charges of murder; 39 of the men were from the south, and were captured by detectives here at the request of out-of-town police.

One Hanging

There were 28 local persons arrested and tried on killing charges. One man, oJhn Jackson, was sentenced to hang for the death of two women, and another, Lorenzo Price, is in the city jail hospital pending trial for murder and rape.

Assault to rape caused the arrest and convictions of 12 men, while carnal knowledge was charged against 17 men. Three persons, including one woman, were arrested on charges of bigamy: of that number one man was sentenced to 30 days in jail; the others were dismissed at the magistrate hearings.

Abandonment

One young woman, Miss Hilda Henson, 25, 1545 Bruce Street, was arrested on charges of abandonment of two children but was released after a hearing in the Northwestern police station when evidence revealed that the conditions of the desertion were not intentional. An especially notable fact was the arrest of 319 men on charges of desertions of wives and children. This was 101 less than the year previous.

An added crime during 1929 was for the lottery game of "numbers," for which 386 persons were arrested and fined sums ranging from $10 to $100. There were 1,099 persons arrested on charges of drunkenness, and bootleg whiskey figured in many of the disorderly conduct and disturbing the peace cases; 9,530 of the arrests were on these latter charges.

Other Offenses

Other offenses on which race persons were arrested were cruelty to animals, 10; assaults, 2,579; assault to kill, 12; assault to rob, 20; bastardy 92; begging, 29; burglary, 528; conspiracy, 8; deadly weapons, 299; disorderly houses, 27; embezzlement, 17; false pretenses, 53; carrying firearms, 31; forgery, 5; fugitive from justice, 8; bets on races, 12; gaming devices, 19; indecent exposure, 9; larceny, 1,381; prostitution, 16; robbery, 243; sodomy, 15; suspicious characters, 545; theft and pick pockets, 7; vagrants, 422.

Crime-1930

Mississippi.

Negro Awarded $500 For Six Years in Jail

Constitution

JACKSON, Miss., May 8.—(AP)—The Mississippi house of representatives today voted $500 to Moses Walker, Meridian negro, wrongfully imprisoned for six years in the state penitentiary on trumped-up charges brought by a white man who made a death-bed confession.

The negro was sentenced to life imprisonment on charges of shooting into the white man's house and had served six years. About to die, the white man called an officer and confessed that he "framed" the negro to get even with him and that to provide evidence he had shot a hole through his own house. The negro was pardoned.

NEW ERA

Riverton, N.J.

JUN 5 1930

SIX YEARS FOR $500

A few days ago the Missisippi house of representative voted an appropriation of $500 to Moses Walker, a negro who had been pardoned after serving six years in the penitentiary. He had been convicted on charges of shooting into a white man's home and sentenced to life imprisonment.

On his death-bed the white man confessed that he had "framed" the negro because of a grudge, had shot the hole in his own house to substantiate the false charge, and that the negro was entirely innocent of the crime.

It is difficult to understand how anyone could deliberately swear away the liberty of an innocent person merely through spite, but in many cases not only liberty but life itself has been sworn away. That in this case the real criminal's conscience troubled him is evident. At least it began to trouble him when death stared him in the face.

The $500 voted by the state is better than nothing, but it is poor recompense for six years of unjust imprisonment. Persons wrongfully imprisoned, when such wrongful imprisonment can be proved, should be entitled to substantial damages by law, and the severest penalties should be imposed on those who are responsible for willfully bringing about the conviction of innocent citizens, white or black.

AMERICAN
HATTIESBURG, MISS.

DEC 2 3 1930

INJUSTICE

Last week a bank robbery was committed. Four men were involved.

The first story printed concerning this serious violation of law and right described the party as composed of three negroes and on white man. One of our state papers even went so far as to say in the headlines that "Negroes" were responsible for the crime. Only those who read the story learned the true facts in this regard as the information at that time indicated.

Further investigation disclosed the fact that the entire group was made up of white men, three of them having blackened their faces.

An incident of this kind—and it has happened before—makes the fair-minded white man or woman feel extremely ashamed and sorry for the negroes. They have their shortcomings, it is true, but they are endeavoring to elevate standards of morals and conduct among their own race and in this effort look to our race for example. It is tragic how often we fail them. It is more pitiable when white men stoop to disguise themselves and throw the burden of their guilt upon negroes.

It is rank injustice, which is one of the most pain-inflicting wrongs and one of the ugliest examples of "man's inhumanity to man."

Hattiesburg, Miss. American
Tuesday, December 23, 1930

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Crime-1930

Missouri

RACE LABEL ON CRIME

Call 2-21-30

Putting the label of race upon wrong doers is done exclusively to Negroes in Kansas City. We are not the only ones accused, but prejudice adds racial identity to each of us whenever accused. Other motor car drivers get drunk and maim and kill; others break the prohibition and narcotic laws; others rob, but only Negroes are pointed out. Kansas City even goes the ridiculous length of adding "white" in describing offenders where we are not accused, dragging in the presumption of our general criminality even when we are innocent in a specified case.

Kansas City, Mo.

The whole attitude is wrong. It is individuals who break the law, and so long as the spirit of the Constitution is that no attainder for a crime shall touch families, it is rank unfairness to fasten it upon their whole race. The very agencies that label "Negro" on our misdeeds are free of blaming other groups for the faults of their members. Names and addresses for any white man, but never a label, no matter how heinous the crime. Yet every Negro who gets a two dollar fine, for exceeding the speed law or violating the parking ordinance, is identified by race.

It must be that prejudice fears the criminal tendency of Negroes is not well proven. Repetition is resorted to to build up the charge to the point where our utter worthlessness will be universally accepted. It is a scurvy trick, unworthy of fair minded people. If every Negro in Kansas City but one was criminal, it is that one's right to have his own acts as the sole measure of his worth. Other cities do not have the Kansas City habit. The libel put upon us here is not only unfair, but it actually makes us a lot of industrial cripples, who burden others down, where we would be able to help.

WHITE CHICKEN THIEVES IN MISSOURI

It is quite interesting when you think of it seriously that right here in Missouri there is a white family of five, a father, mother, and three sons, all under a five years sentence in the state penitentiary charged with stealing chickens.

Negroes 2-14-30 St. Louis, Mo.

Our interest in this case is despite the fact that stealing chickens is a crime that the white people generally lay at the door of colored people, yet in all the history of the crime we have never heard of a whole family of colored people being convicted and sentenced for the crime. Then, too, in this connection, it is well to remember that it is as a general rule easier to convict a colored person of suspected crime than it is to convict whites for the same offense. Therefore,, it is quite natural for us to assume that this white family must have been guilty of wholesale chicken stealing in their community. And while it is true that we get no particular satisfaction or "kick" out of the fact that this white family was convicted of invading their neighbors' hen roost, yet this incident may serve to disabuse the minds of some white people that all chicken thieves are colored.

STOP CRIME AND INCREASE EMPLOYMENT!

Call

The deadly accuracy of Kansas City courts when they charge Negroes with crime committed upon white vistims was in evidence again this week when a death sentence was passed upon Allen Bradford. We have no comment upon the justice of the procedure. The prisoner admitted his guilt and the judge says it is the law that he shall die. 3-14-30

We wish Kansas City was as much concerned about crimes committed upon Negroes. A criminal excused because he chooses a black victim, sooner or later attacks a white one. There is no sacred color line which criminals will not cross.

Kansas City, Mo.

We are anxious to have crime by Negroes punished as a step toward lessening murders. That a life is a life is reason enough for punishing killers. An added reason for stern measures is the effect criminality has upon the race. This ex-convict, Bradford, with his column upon column of publicity labeled "Negro" shamed us, damned us, and will ultimately cost us opportunity to work. That would not be the case for any other group to which a criminal belonged.

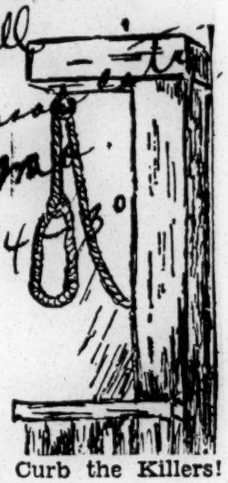
In 1929, Negroes Murdered 50 Negroes in K. C., Mo.

Since Jan. 1 Call

13

Have Been Murdered By Negroes

Kansas City, Mo. 7-4-30



The Gallows Will Curb the Killers!

A CHANGE FOR THE BETTER

Call

In the first eleven weeks of last year ten Negroes were killed by Negroes in Kansas City. In the first eleven weeks of this year, five similar killings occurred, five less than last year. What a change for the better!

More and more commendation comes to this paper for the three years campaigning we have done to save lives in this community from the blood lust of drunken, jealous, gambling killers. More and more the prosecutor has succeeded in convicting those on trial, and given heavier and heavier sentences. But because no one has yet been adjudged guilty of first degree murder and hanged, we needed this comparison of the figures to realize how conditions are improving.

3-21-30

Kansas City, Mo.

It is as certain as the sun rises and sets that some Kansas City killer will pay with his life for a murder committed in this present year. The gallows looms nearer and nearer. Public sentiment is gathering. Judges and juries are indicating that Negro lives are valuable in the eyes of the law. We are glad to share with these agencies the credit for the much improved murder record which the year 1930 is showing.

Five lives saved! What tears, what remorse saved also! The Call feels repaid for all it has tried to do

Crime—1930

New Jersey.

Negro Worker Held on Framed-Up Murder; Gets Released on Bail

FREEHOLD, N. J. Feb. 2.—Andrew Turner, Negro worker and member of the Trade Union Unity League of Chester, Pa., who has been held on a murder charge here for two months, because of vicious race discrimination, was released yesterday on $1,000 bail.

David Levinson, Philadelphi attorney for the International Labor Defense, demanded Turner's release, and brought along a writ of habeas corpus. The Negro worker had been abandoned by his employers, the Hedley Co., of Chester, when his bail was set at $3,500. Turner's truck figured in an accident in which a man was killed. The latter had driven into the rear of the truck Turner was driving.

His company and the bonding company refused to go his bail. When the I.L.D. heard the case they instantly came to Turner's defense. A wide drive among Negro and white workers to demand the freedom of Turner was begun two weeks ago, after the I.L.D. took over the case.

The Grand Judy hearing will be held at the next term of court.

Police Beating Of Negroes Reported In Camden, N. J.

Camden, N. J.—Brutal beating of several Negroes by police in Camden, New Jersey, is reported to the N. A. A. C. P. by Irving T. Nutt of that city.

The trouble originated in the crowding to the curb of an automobile containing three colored men. When they protested to the white woman crowding them, a white police officer had them taken to the police station in a patrol wagon where the colored men were beaten with fists and rubber hose,

Crime—1930

NEW YORK TIMES

APR 29 1930

ROOSEVELT SIGNS PAROLE BOARD BILL

Says Baumes Measure Will Bring Real Progress in Crime Problems.

TENANTPROPOSALAPPROVED

Governor Puts His Signature on Fifty-nine Bills and Vetoes Ten Others.

Governor Roosevelt yesterday gave his approval to the bill introduced by Senator Caleb H. Baumes of Orange, head of the State Crime Commission, which creates a new full-time Parole Board. The bill carries an appropriation of $259,500 to defray the cost of erecting the new parole machinery and keep it running during the first year.

The bill is a compromise between a plan proposed by the Republican majority of the Legislature and one that was formulated by a special commission appointed by the Governor. The Republican proposal had the new Parole Board continued as a division in the Department of Correction. The Governor's commission in its report recommended that it be made a division of the executive department, and this recommendation was carried out in the Baumes bill.

"I take great satisfaction in signing this bill to create a special division of parole, for it seems to me that this is a practical and definite method of seeking to solve the great social problem of the future of prisoners of the State after their return to active life in our several communities," Governor Roosevelt said in a memorandum.

"More and more in recent years modern civilization has come to realize that prisons are built not merely for punishment of crime or even as deterrents to crime, but that the unfortunate men and women who do go to prison must, if possible, be educated mentally and morally, so that when they come out they will never again become criminals.

"The new Board of Parole, which will be set up on July 1, has a tremendous opportunity for good, and through this new agency I hope that we can make real progress in the social problem of crime."

Prison Survey Bill Approved.

The Governor also approved the Knight bill creating a temporary commission to make a survey of the prison situation and define a fixed prison policy for the State.

The measure was sponsored by the Republican majority of the Legislature, following an investigation by the Senate Finance and Assembly Ways and Means Committee which resulted in severe strictures on the recent Democratic administrations, including that of Governor Roosevelt, for delay in carrying out improvements and extensions at the State prisons for which the Legislature had made ample provision through appropriations. The Governor charged at the time that the attack was prompted by political motives.

In approving the bill he said in a memorandum:

"In approving this act to create a temporary State commission to make an intensive study of prison administration nad formulate a plan of construction, financing and development of prison industries, I want to express the hope that politics will be adjourned in the acts and recommendations of this commission."

The Governor recalled that before the bill was passed he had announced his intention to create two commissions of his own to study different phases of prison administration and prison policy. He said in his memorandum that there need be no conflict between his own commissions andthat created through the Knight bill and pleaded for cooperation.

Signs War Memorial Measure.

Another bill approved by Governor Roosevelt was introduced by Senator Webb of Dutchess and provides for the creation of another temporary State commission to make a study and report on a proper site for the erection of a suitable memorial by the State to citizens of the State who served in the World War and to report preliminary plans and an estimate of the cost.

The Governor, in a memorandum, called attention to his approval of another bill creating a commission to report on the 200th anniversary of the birth of George Washington and expressed his intention of creating a committee of his own to work in cooperation with both these commissions with a possible view to combining these memorials with "a much-needed museum, archives building, library and assembly hall.

It is the thought of Governor Roosevelt that a block on the State Street side of the Capitol, in juxtaposition to the present site on the Washington Avenue side of the State Library and Educational Building, should be acquired by the State for the purpose of establishing the sort of building the Governor has in mind, the style to match that of the Educational Building.

New York.

The Governor approved a bill to create still another commission to study the feasibility of constructing one or more bridges across the St. Lawrence between the United States and Canada.

Ejection Bill Is Approved.

Other bills approved by the Governor included one introduced by Lamar Perkins, one of the two Republican Negro Assemblymen from Harlem, providing for a six-month stay in ejectment proceedings when tenants are unable to find other housing. The present law limits the stay to five days.

The Governor signed the bill providing $40,000 for the Attorney General so that his Bureau of Securities can take up more extensively and thoroughly the investigation and prosecution of fraud cases under the Martin act.

He approved the bill introduced by Russell G. Dunmore, Republican floor leader in the Assembly, requiring grade-crossing contractors to extend the eight-hour day and prevailing rate of wage provisions now in force for laborers on State jobs to their workers.

The Governor also approved a bill rendering Filipinos eligible for admission to the bar in this State.

The Governor approved fifty-nine bills and ten vetoes were included in the day's batch of thirty-day bills upon which action had been taken, which was made public yesterday by the Governor at his home, 49 East Sixty-fifth Street.

Among the bills vetoed were two affecting the Bureau of Architecture in the Department of Public Works. On the ground that there had been tardiness in this bureau in completing plans in connection with the State's building program, the bills would have set up an independent Department of Architecture as one of the main divisions of the State administrative branch.

Westchester Bill Is Vetoed.

The Governor, in disapproving the two bills, said he was averse to sanctioning any change in the present consolidated form of State government by setting up a new department. The Governor vetoed another bill, which would have authorized corporations to donate corporate funds for charitable purposes.

Another bill vetoed would have made fire alarm equipment in hospitals, asylums and almshouses discretionary with local fire departments.

The Governor vetoed a bill which would have compelled all villages in Westchester County to adopt a three-shift system for their police departments of eight hours each. The Governor, in explaining his action, said that many villages now had adopted that plan and that others were divided in their opinion with regard to the proposal.

PITIFUL CRIMES OF LITTLE AFRICA

Times

Illicit Love Affairs Result in the Inevitable Triangle, With Tragic Sequences.

6-1-30

MURDER OFTEN FOLLOWS

New York Times

More Frequently Knife Slashings Disfigure and Disable the Wrathful Contenders.

The story of crime in the jungles of Harlem's Little Africa should be written in serial form, for crime there is continuous and keeps pace with the tempo and the temper of its passionate, impetuous, dark-skinned votaries. In respect to crime Harlem is no worse than any other overcrowded section of the city in which people of the same race from set up their lares and penates. Amid such a heterogeneous mass it is not surprising that inter-racial hatreds and prejudices should occasionally flare up.

Yet to the credit of Little Africa racial crimes of a serious nature are few. If the American, Porto Rican, different lands and countries have Spanish and West Indian Negro do not always understand one another, they are usually able to settle their differences without violence. As it is they are beginning to understand one another better every day, and the newcomers from foreign lands quickly adapt themselves to our laws and customs.

Hence the crimes in Little Africa are for the most part of a purely personal or domestic character. Station houses, faithfully reflect the crimes of a community and police blotters truthfully depict the story of Little Africa's comedies and tragedies from day to day. The records of these blotters show that crimes of passion are all too common among a primitive type of Negro.

The "Love Criminal."

A familiar type is the "love criminal." He is not a criminal in the true sense of the word but a creature who is swayed by strong emotions over whichhe has no control. Ordinarily a peaceful, good-natured fellow, when his anger or jealousy is aroused he is transformed into a beast and commits the most fiendish crimes. Sometimes he is cunning and deliberative, biding his time until he thinks the time is opportune for the vengeance he has planned. Usually, however, he acts impetuously and seldom gives a thought to the consequences of his act.

Unfaithful love affairs are responsible for most of the dark domestic tragedies in Little Africa that end in murder and suicide. Yet there are plenty of these triangular affairs in which the principal actor, after accomplishing his purpose, prefers to seek safety in flight. The prelude to these tragedies begins with quarrels and bickerings and terminates in heart-rending screams and pistol shorts. Timid neighbors grimly suspect what has happened and seek a policeman. But by the time the officer arrives on the scene the murderer has made his escape.

There is a long line of vanishing black men, principals in these homely crimes of the tenements, for whom the police are earnestly searching. Where are they to be found? Where are they hiding? No one can answer the questions. The culprits vanish mysteriously into the night and are not to be found at any of their customary haunts. The culprits are not clever; they leave damaging evidence behind them—sufficient to convict them and send them to the chair. The names of the culprits are on everybody's lips and everybody knows the details of the sordid tragedies.

Strange Hiding Places.

Of course, all of them do not escape. Occasionally such an emotional murderer is filched from a cellar or strange hiding place where, leading the existence of a rat, grubbing for his food and living from hand to mouth he is ready to give up the struggle. Others when brought to the stations are stolid and dazed and do not appear to realize the seriousness of their plight. Many of them are penniless and readily admit that before their capture they had to subsist on what they could beg or steal. Not a few in desperation confess to turning hold-up men in the hope of obtaining sufficient funds to enable them to get out of town and start life anew in fields far from their crimes.

The favorite weapons, according to police records, of the "love criminals" are pistols or knives. In their wild rage and lust for blood and vengeance they frequently display exquisite cruelty. They have been known to sever the head of a victim with an axe or to mutilate a body with a knife almost beyond recognition.

Life in Little Africa is held cheaply and cutting affrays are of nightly occurrence. When two men fight with knives no one can predict what the outcome will be. A foolish argument between friends frequently ends in the slaying of one or the other. When two men engage in a quarrel they seldom resort to fisticuffs, but draw knives instead and begin to slash at each other. They are adepts with the knife and sometimes slash each other's garments to pieces, without inflicting a serious wound. The victims are common sights in station houses where their faces are carved with ineffaceable marks. Yet after a little attention from a surgeon they are able to go home, smelling strongly of iodine, with their faces wreathed in court plaster. They accept these knife duels with philosophical calm as if they were an unpleasant yet necessary part of life. When they have recovered from their wounds they are ready to engage again in combat.

SEPARATION OF CONVICTS.

The Grand Jury of Cayuga County where Auburn Prison is located, last week turned in a report covering the two riots which occurred at that institution last year, and severely condemned the prison administration, terming it "headless, spineless and worthless." The history of that prison leading up to the riots of July and December of last year was declared to be marked by mismanagement, neglect and incompetence. It was only the loyalty of the guards and keepers that kept the institution functioning.

The report charged that intoxicating liquors were made in the prison and that the inmates became intoxicated and were taken to their cells by guards, but nothing further was ever done about it. Despite all this condemnation of the authorities the grand jury found no instance of wilful neglect strong enough to warrant an indictment. There were sixty-three recommendations for changes to be made at penal institutions and in the laws, which were submitted in the report to Supreme Court Justice Benjamin B. Cunningham.

Among these recommendations were the appointment of at least fifty additional officers or guards, the continuance of the suspension of the Welfare League, search of all vehicles entering the institutions and other measures that would provide greater security for the inmates and their keepers. The most important matter was pronounced to be the proper segregation of the inmates, and a method of grouping was recommended based upon the hope of their regeneration and return to society.

It was also recommended, that a "separate institution be founded where all colored inmates of the State may be confined and where the same system of segregation could be practiced." This touching solicitude for the colored prisoners shown by the grand jury of Cayuga County, shows how deplorable must have been the conditions in Auburn prison, when they felt that the colored prisoners of the State should no longer be subjected to them. It was something of the same kind of solicitude that places the colored female inmates in the Workhouse on Welfare Island in the laundry, so as to keep them from being contaminated by contact with the depraved white inmates. If we remember rightly, it was one of the complaints of Mae West, author and producer of the "Pleasure Man," that she was sent to join the laundry squad during her stay at Welfare Island.

The separation of State prisoners along the line of color is certainly reducing the science of penology to an absurdity.

JIM CROW PLAN AT BLACKWELL'S ISLAND JAIL

No Real Race Prejudice; Fight Stools

NEW YORK.—Commissioner of Correction Patterson has 27 prisoners at Blackwell's Island ("Wellfare Island") on the line for punishment as a result of the so-called race riots Tuesday and is taking much glory to himself for "prompt suppression." The capitalist press and Tammany politicians made haste to accuse the Communists of starting the riot, because Foster, Minor, Amter, Raymond and Lesten, leaders of the jobless, were originally sent there. However, yesterday even Patterson admitted that with Lesten out, Foster, Minor and Raymond on Harts Island, miles away, and Minor desperately ill in the prison hospital, they could hardly be responsible.

The real cause of the riot appears from a description of the prison and Patterson's policies by Sol Harper, of the American Negro Labor Congress, who recently served a term on Blackwell's Island for introducing a motion against lynching in a Pullman porters' meeting.

Bad Conditions.

The prison, says Harper, is horribly overcrowded, and is unsanitary, without plumbing, and with nauseating pails in the cells which the prisoners have to empty in the mornings. Two blankets only, and no mattresses, are assigned to the prisoners. To distract the prisoners from this condition, Patterson a Southerner, deliberately Jim Crows the Negro prisoners, gives them the hardest work and creates an atmosphere cultivating race strife. In spite of this, however the bulk of the prisoners have no prejudices, and, when they can, work willingly with each other, Negro or white.

The idea that the riot started because of a quarrel between Negroes and whites for the baseball field is nonsense. There are only two teams, one Negro and one white and they play each other. They could not fight for the field.

Fight Stool Pigeons.

Fights, probably including this one, usually start over dope peddling, which is attended to by the "ring guys," privileged politicians and others enjoying the guards' favor, and stool-pigeon work. This latter gives an opportunity for the brutal guards to display all their worst qualities, beating and torturing prisoners. Men have been killed on Blackwell's Island by the guards.

Crime-1930 North Carolina

Where Padding Of Our Crime Statistics Failed

A FEW weeks ago Thomas Marion reported to the police that he had been held up and his wife murdered by a Negro on the public highway at a point near Greensboro, N. C. The other day Marion himself was convicted of the murder of his wife by a jury that did not believe his story.

Commenting upon the outcome of the trial R. R. Clark, a lawyer, who writes a column daily in the Greensboro Daily News says:

"The verdict against Marion is also other and further evidence of the growing indisposition to accept stories of crime committed by strange Negroes. Explaining a crime by featuring the strange Negro as the villian has been much overworked in North Carolina here of late. In fact when such explanation is offered it has become cause for doubt unless the attending circumstances of themselves are convincing. So many stories of that kind have either been dissipated or brought into serious question by investigation, that even reports of Negro attacks on white women, formerly accepted at face value with no thought of doubt, no longer pass entirely unchallenged. The public has learned that Negroes are not the only criminals, and with that there is a lessening of the race prejudice that formerly accounted for the acceptance of almost any allegation against a black in connection with crime, and a resultant strengthening of the disposition to do justice regardless of the color of the skin. Time was when the Marion story of the strange Negro robbing him and killing his wife, by no means improbable or impossible now, would have been accepted with hardly a thought of doubt. But under present conditions one who attempts to explain a crime by placing it on a strange Negro must be well fortified with a story that will stand analysis if it is to stand up."

Good! When the responsible white people of the South, especially those who have the enforcement of the law in their hands, begin to see conditions in the light expressed by Mr. Clark, we will witness a beginning of the end of lynching. We will witness a great reduction in the Negro column of crime statistics.

The public has not forgot the incident of the young white woman near Bristol, Va., who almost simultaneously with the Marion case attempted to commit suicide by slashing her wrists with safety razor blades. Failing in the attempt to take her life she gave the alarm that a Negro had assaulted her. A mob quickly formed, and a lynching was prevented by the honesty and alertness of physicians who promptly discovered and told the mob leaders that the young woman's wounds were self-inflicted. Then she confessed. But to hide her own shame she was willing to fasten a desperate crime upon an innocent Negro, who in all probability would have been lynched.

These two incidents illustrate that it is not as easy, in some parts of the country at least, to pad the Negro's crime statistics as formerly. It is possible even to overwork a practice that has the unreasoning element of race prejudice to support it.

Crime-1930

North Carolina.

Man Is Beaten And Robbed By Negroes

Rochester, 7-6-30

WINSTON-SALEM, N. C., July 5.—(AP)—Dr. W. G. Botts of Norton, Va., is in a hospital here suffering from injuries after having been allegedly beaten and robbed of $3,500 by two negroes in Norton last night. Montgomery, Ala.

The negroes, who Dr. Botts said he know, assaulted him in his home town, he said, bound and gagged him and then drove here where they left him dazed in his car in a quiet residential section.

FROM DEATH ROW TO FREEDOM IS PRISONER'S LUCK

Virginian Convicted In North Carolina Given Liberty

Special to Journal and Guide

RALEIGH, N. C.—Joe Johnson walked through the valley of the shadow of death during his two months on Death Row and eight years in the North Carolina State Prison, but today he is a free man because he was a model prisoner and had a lawyer who fought for his life with the relentlessness of a crusader.

Johnson was tried in the Superior Court of Washington County during the 1922 July term for buglarious entering of a dwelling house in the night time to commit a felony upon a female.

He was without funds and unable to employ counsel to defend himself upon a charge that meant death in the electric chair if he was convicted. Judge F. A. Daniels, who was presiding at that term of the court, appointed Attorneys P. H. Bell and W. L. Whitley, white, to defend the prisoner. A stubborn fight by his lawyers failed to prevent conviction and a sentence to die on October 13, 1922.

Attorney Bell, without pay, continued his fight to save Johnson from the electric chair. An eloquent plea by him to then Governor Cameron Morrison resulted in a commutation of the death sentence to life imprisonment, four days before the date set for the electrocution.

When Johnson was informed of this action, he was told that if he would make good as a prisoner for ten years, further clemency might be secured.

Johnson was a willing worker and made good. He was made an honor prisoner, was active in prison affairs, sang on the prison quartet, and learned the brick laying trade. Attorney Bell kept his promise to his client and applied to Governor O. Max Gardner upon Johnson's record and urged him to commute Johnson's sentence to a term of ten years, which was done and automatically, with time deducted for good behavior, Johnson was released from prison, with a chance to make good in society. Johnson is a native of Virginia, having lived in Petersburg before going to North Carolina two years before the commission of his crime.

BURNED UP IN CELL, REPORT

Louisburg 4-30-30

RALEIGH, N. C., Aug. 28—(CNS)—The evidence in the case of Willie Bellamy, an 18-year-old Negro who died on July 26 while a convict on the Wake County roads, has been pronounced as sufficient to warrant a criminal investigation.

Although county authorities have denied that there was anything wrong about the death of Bellamy from "a congested brain due to being overcome by the heat," the State has continued its investigation and the grand jury will now take a hand.

Reports show that the boy was confined during much of his stay in the camp in a "sweat box" and placed on a bread and water diet, that he was sent to work in poor condition on the day of his death and again confined to the "sweat box" in the middle of the day. Figures from the Weather Bureau reports showing the exceedingly high temperatures of that week are contained in the report.

The "sweat box" is a wooden structure about four feet wide, seven feet long and six feet high. The sides of the cell are closed with heavy boards, placed on top of each other. There is a wooden board roof. The ventilation consists of small cracks in the corners, loose fitting boards in the floor and walls, and a small opening about three and a half inches around the top of the cell, partly closed with screen wire. The cell is not under a shade and it is claimed Bellamy died from the effects of becoming overheated—his temperature at times running as high as 110 degrees.

In commenting on the case one prominent state paper says:

"The strong suggestion of brutality and negligence is so apparent in the case that we believe the blood of every man and woman in the State will boil with indignation. It is sufficient to warrant a sweeping investigation into the condition prevailing at all prison camps in North Carolina. Surely we are not so complacent in our attitude toward our prisoners that we will sit calmly by while any number of them are neglected in a[illegible]shion as seems apparent in [illegible] of Willie Bellamy."

Negro Sentenced For Thirty Years

Columbia 4-31-30

MARSHALL, N. C., Aug. 30.—(AP) Roosevelt Hart, young negro, was sentenced to 30 years' imprisonment tonight for the murder of E. K. Bryant, 30, of Greenville, Tenn., several weeks ago. Atlanta, Ga.

A jury found the negro guilty of second degree murder. He was removed to the Buncombe county jail at Asheville after Judge J. M. Oglesby passed sentence.

Hart denied on the stand that he killed Bryant, who had given him a lift in his automobile. He declared the crime was committed by a white man Bryant had picked up.

Smithfield, N. C. Herald
Tuesday, September 16, 1930

ARE WHITE PEOPLE WORSE?—

During the proceeding of Recorder's Court here Monday morning a local attorney remarked to the Editor about the crowded courtroom and the class of people making up the audience. A glance around set forth the fact that more than three-fourths of those attending court that day were white people.

Conversing further a question was raised in our minds as to the reason for the observed circumstances. Could it be that the white people are worse than the Negroes? Such must evidently be the case, for a visit to the jails and prison farms will show the same distinctive classification.

If such a condition of increased law violators continues, it won't be long before the State will necessarily have to increase its prison quarters, otherwise more paroles issued.—Nashville Graphic.

Crime in North Carolina

Charlotte Observer
10-29-30

THAT CHICAGO and New York are not the only cities where crime and gangsters are rampant is proved by recent reports from North Carolina. People of both races have united in giving the city of Charlotte the highest murder average in the country for the past few months. The Negro Associated Press reports that the death rate from murder alone is six times as high as the birth rate. New York

THOUGH VIOLENCE among the colored population cannot be excused, it can be partly accounted for. Such conditions as the Negro has to live under in this country, especially in the South, have always been conducive to crime. It is more difficult to live normally when the incentives to normal living are destroyed.

THE PERCENTAGE of crime among white people in North Carolina is harder to understand. Judge Midyette, in opening the October criminal court term at Louisburg, stated that 65 per cent of all the felons in North Carolina are white men. This condition prevails in spite of the fact that North Carolina is the leading state of the South in education and one of the leaders in business. Judge Midyette ascribes the delinquency to poor home training.

IT MAY BE, however, that conditions in North Carolina are symptomatic of the nation as a whole. For the past fifteen or twenty years there has been a general letting-down of standards in this country. It

can be seen not only in morals, which, after all, are an effect rather than a cause; it is prevalent in the church, in business, in politics, in education, in the arts and professions. The idea of good, solid work has given way to the getting-by ideal, to corner-cutting, superficiality and trickery. The old classic motto, "To be, not to seem," has been supplanted by "To seem, not to be."

EASY TO LAY CRIME ON NEGROES

As a result of his belief that it is always easy to fasten a crime on a Negro, a white man, Tom Marion of High Point North Carolina is now facing the electric chair for murder of his wife.

In his confession of the murder, Marion is said to have made the following statement to the police:

> After concluding that I and my wife could not get along peacefully together, I thought of a plan to get rid of her. So one evening I suggested that we take a car ride to her mother's and talk over our differences. When about four miles out, we got into a quarrel; and I shot her three times.
>
> I returned to High Point and told the authorities that a Negro had held us up, robbed me, and killed my wife. I gave a description of the supposed murderer and robber.

When asked why he laid the crime on a Negro, Marion said, "It's easy to lay a crime on a Negro."

We would not comment on this case were it not for the fact that it is not infrequently that this kind of thing happens, and because of the danger which must necessarily follow when a Negro is accused of crime. There was, first of all, the very, very great danger of lynching. Then, too, there might have been a race riot; and several persons might have been killed or wounded, possibly hundreds made homeless and thousands made to suffer. The newspaper accounts of the affair tell of a man hunt by a "posse of infuriated citizens" bent on lynching. Any Negro man's life was in danger who might have fallen into the hands of the mob. But fortunately a confession from the husband brought the Negro man hunt to an abrupt ending, and a bloodthirsty mob was greatly disappointed.

Assuming that crime is crime, it will be of interest to the public to note that as soon as the leaders of the mob learned that the husband of the dead woman instead of a Negro had done the killing, no more threats of mob violence were heard; that all interest in the crime became history, so far as the mob was concerned; and that the participants returned to their homes. So far as the writer knows, there were no threats made against the husband even though he had confessed.

This, of course, shows quite clearly that it is not the crime, but the race with which the accused is identified that "fires up" a mob. And while it is true that we do not in any way condone crime committed by Negroes, yet we venture the statement that hundreds of Negroes are dead and thousands are in the state institutions for the criminal because the white man knows that it is easy to fasten crime on a Negro. And furthermore, it is also a reasonable assumption that it is easy to convict an accused Negro when the judge, the jury, and the prosecutor are white.

Right here in Missouri the Negro population is about ten per cent of the white, yet in the "peaceful village" at Jefferson City we find that the Negroes are about forty per cent of the whole. This, to our mind, shows conclusively that it is not only "easy" to fasten crime on the Negro but it is also easy to convict the Negro after he has been accused, whether guilty or not. What is true in Missouri, no doubt, is also true of other states.

Surely, this particular subject needs some study. Surely, it needs studying by an interested group of both white and colored because this class of criminals are like the blackened faced white bandits in that they find it easy to fasten their crimes on the Negro because, as one expressed it, police and peace officers are, for the most part, color blind.

New Bern, N. C. News Bernian
Friday, November 14, 1930

"Jim Crow" Policy For The Chaingang In Mecklenburg

CHARLOTTE, Nov. 13.—(AP)—Acting on the sugkgestion of Judge John M. Oglesby, of the state superior court, Mecklenburg county officials today announced a policy of segregating prisoners according to races on the county chaingang.

The "Jim Crow" plan came as a sequence of the trial this week of S. A. Sprague, a white prisoner, who was charged with striking Harry Reid, negro convict, on the head while the two were working together on a county road. Sprague was convicted of assault, but has not been sentenced.

Charlotte, N. C. News
Friday, November 14, 1930

"Jim Crow

Avoid Trouble Between Races Is Aim Sought

Separate Eating and Sleeping Quarters Already Provided for County's Convicts.

The "Jim Crow" system of working white and negro chaingang prisoners in separate groups will be adopted immediately in Mecklenburg County as a result of an interview yesterday afternoon between Judge John M. Oglesby, who is presiding over the present session of criminal court in the county, and Thomas Griffith, chairman of the county highway commission.

"This idea of segregation is not necessarily because of racial prejudice," declared J—udge Oglesby, "but it is the most practical thing to do, for experience shows that the two races get along better in doing compulsory work when they are separated."

The trial Wednesday of S. A. Sprague, white convict who struck Harry Reid, negro fellow convict, over the head with a shovel and seriously injured him, brought the matter to the attention of Judge Oglesby and the court.

The judge recommended a grand jury investigation of conditions in the prison camps of the county where members of both races were working together. Yesterday during the noon recess, members of the grand jury, together with Fred Anderson, foreman of the jury, and John G. Carpenter, solicitor, visited the Deweese prison camp.

Action of the highway department yesterday in agreeing to segregation of the races while at work will make further investigation unnecessary. Separate eating and sleeping quarters are already provided at the prison camps.

Arrest White Man for Murder; Blamed Race

Reported 10-18-30

HIGH POINT, N. C., Oct. 17.—Thomas Marion, white, was arrested Friday afternoon, Oct. 10, shortly after 3 o'clock on a charge of murder in connection with the death last Saturday night of his wife, Mrs. Byers Marion, who was shot through the heart with what is thought to be a .32 caliber gun.

Marion was found at his home on the Mendenhall tan yard road by Deputy Sheriff C. L. Gray, who read the warrant sworn to on information and belief by Sheriff Fred Sink of Davidson county.

Marion was held 10 hours immediately after the discovery of the death of his wife by the police and then was freed when the Davidson coroner's jury found that there was insufficient evidence to hold him. Marion has continually stuck to his story that the car in which he and his wife and baby were riding was held up on State Route 10; that he was robbed of $20 and his wife was shot through the heart by a black highwayman who held them up.

Solicitor J. F. Spruill recommended the arrest of Marion immediately after he was released by the coroner's jury and since that time the citizens of Davidson county, the High Point police department and Guilford officers have been investigating the evidence.

After being arrested, Marion asked to be allowed to get a shave. He was taken to a barber shop on Wrenn St. by Deputy Sheriff C. L. Gray and from there to Magistrate W. G. Brown's office, where he was held pending his trip to the Lexington jail.

Crime - 1930

North Carolina.

SUN

Durham, N. C.

JAN 7 1930

The Right Spirit

In connection with the recent series of crimes committed by Negroes in this community, the Sun has received a personal letter from one of the most influential Negroes in the city, or in the state for that matter, and a man who has the welfare of his race deeply on his mind, in which he expresses keen regret that such crimes should have to be charged against members of his race. The letter being personal, we do not feel free to divulge the name of its writer, but are going to take the liberty to quote most of it so that the people of Durham may know what the representative members of the colored race here are thinking in regard to the series of crimes:

"I am very much aroused," said the writer of the letter," over the acts of lawlessness being committed by members of my race. I am particularly concerned that nothing disutrb the peaceful and cordial relations existing between the two races in Durham. There is a great deal of unemployment here and Negroes are coming from other cities seeking work, and not finding it are turning to acts of lawlessness.

"I stand squarely for law and order, and you may rest assured that the majority of Negroes in Durham stand for the same, and if there is anything that you can suggest that we ought to do, please be perfectly free to make the suggestion.

"The shooting of Rev. Mr. Lee is an act which no one for a moment could pass without shocked feelings and indignation. It is a tragedy which has cast its gloom on all citizens, regardless to color, in the city.

"During 1930 I have made up my mind to turn my attention toward helping more in the development of the serious things which will uplift my race. You can count on me at all times to aid in every way possible to promote peace and harmony between the races, and to do those things which will tend toward the upbuilding of the city of Durham."

The above quoted letter we believe represents the sentiment of the better citizens among the colored race in this city. The man writing it states that he intends to devote attention this year toward helping the members of his race. He has all his life exerted an influence for good upon his race, and what he means to say is that he will do more this year than he has been doing. He can be of great service, just as the leaders in any race can be of service to their less influential members. It takes patience, tact and perseverance, but in the end good results will appear.

More White Arrests in N. C. Town

Hoboes and Vagrants Require Separate Book in Raleigh

RALEIGH, N.C. — There were more white than colored men arrested in this city during the past year, according to local court officials.

The number of whites haled into court for all causes was 1,865, while the colored arrested amounted to 1,786.

1-13-30

More Females

That the females took a larger interest in court affairs than men was shown by the fact that there were 412 colored, and 137 white women arrested.

Unemployment was reflected in the number of vagrants and hoboes asking for station house lodging. There were 986 such "lodgers" as against 506 in 1928, and so numerous have they become that a special book is required to register them.

Raleigh, N. C. News and Observer
Sunday, January 12, 1930

MORE WHITE THAN NEGRO OFFENDERS

1,865 White Men Arrested in City During 1929; Drunkenness Chief Cause

White men were resopnsible for the majority of Raleigh's crimes and misdemeanors during the year just ended, according to Police Department records. The number of white men hailed before police officers exceeded by 79 the number of Negroes.

There were 1,865 white men who crossed swords with the law during the year, and 1,786 Negroes. However, of the 412 women who ran amuck, only 137 were white. Negresses arrested numbered 275. Against these, the most frequent charges were larceny and prostitution.

The records show, also, that Judge Wiley G. Barnes heard 1,044 more cases in City Court during 1929 than in 1928. He passed judgment on a total of 4,196, and sent 460 of them to the county jail and to the roads for a total of 1,072 months—89 years and four months, to be exact. Sentences during the proceding year totaled but 648 months, or 54 years.

A cursory examintion of the records reveals that drunkenness is Raleigh's most common weakness, with larceny and gambling ranking next. There were, however, fewer drunks jailed during 1929 than the year before; 934 were arrested for inebriety in 1928, while officers brought in only 864 last year. And there was also more whiskey destroyed by city officers in 1928, during which year 530 gallons of liquor were emptied into gutters, or whatever was handy; 447 gallons were destroyed last year.

So rapid has been the increase of hoboes and various classes of vagrants that the police desk sergeants havge devised a separate book for entering their names. Transients passing through the city at night frequently seek shelter in the city jail. When there is sufficient room they are allowed to sleep there; 986 of them were given lodging during last year, as compared with 506 for 1928.

Fines collected, including court costs, totaled $21,157.42, of which $13,712.42 was for the costs only.

Police officers recovered stolen property during the year valued at $81,786. Much of this amount covered stolen automobiles.

OBSERVER

Raleigh, N. C.

MAR 10 1930

JUSTICE TO NEGRO PREACHERS

Too rarely have the efforts of the Negro preachers in the South been appreciated. The great bulk of them have given themselves to improving the moral conditions of their people as worthy religious leaders. We have heard of the occasional one who has slipped, but little of the many who upon scant support have stood for the elevation of their race. It must have gratified the readers of *The News and Observer* yesterday in reading the proceedings of the Inter-Racial Church Commission in Raleigh, to read the following:

> Every year the Negro is becoming a more valuable citizen, said Mr. Frank Nash, Assistant Attorney General of North Carolina. The records of his office, he said, show that while crime is increasing among the white race, such is not the case with the black. He gave the Negro preacher a great part of the credit for the improvement of the colored race, saying that the Negro religious meetings of today are not only calculated to appeal to the emotions of the congregation but to their intelligence and their sense of right.

News

WILMINGTON

NORTH CAROLINA

MAR 12 1930

THE ORDERLY COURSE OF JUSTICE

Latest developments in the murder case of Mrs. Stephen English, brutally slain some weeks ago at her home in Duplin County, serve to emphasize the danger of hasty judgment in dealing with such affairs. On the day of the killing a Negro pedestrian asked a motorist on the highway between Kenansville and Wilmington for a lift. He discussed with the driver some details of the murder and in general appeared to have a knowledge of the crime that was somewhat out of the ordinary. The driver's suspicions were aroused and he notified the police, who took the man in custody. Later it was announced the Negro had confessed to Wilmington detectives and was turned over to Duplin authorities, and removed to Raleigh when hostile demonstrations indicated there might be violence.

Now, the Negro has been virtually exonerated and the woman's husband held without bail, charged with the killing. Evidence submitted at the preliminary hearing in Kenansville yesterday was at least sufficient to warrant that action on the part of the Committing Magistrate, hence it would appear that an innocent man came perilously close to paying with his life for a crime which it now seems he did not commit. The confession to Wilmington police is of course to be considered, but it is the experience of veteran law enforcement authorities that confessions are by no means dependable. In the larger centers, nearly every sensational crime is attended by numerous confessions on the part of thrill hunters and notoriety seekers, while others, slow-thinking and thick-witted make damaging admissions through ignorance of fear. This particular Negro, grilled by police may have been the victim of either or both of the latter named causes.

Of all institutions created by man, in none is it more imperative that deliberative tactics be followed than in the machinery of the courts. Hasty judgment, impulsive tactics and rash conclusions may lead to the commission of a wrong that nothing can rectify. There are scores of instances on record where innocent men have been punished on circumstantial evidence, the best years of their life forfeitd, and later dismissed with an abrupt apology when the truth is discovered. Hand in hand with this must also go the demands of justice that every individual no matter how lowly and humble, must be safeguarded to the limit in order that his condition in life may not mitigate against him.

KICKED THE DOGS OUT

The name of Judge Peter W. Meldrim, of the Superior court of Georgia, should go on the list. He is the man who administered the swift kick to dogs witnessing in court that should have been administered long ago. A white man had been killed and dogs trailed a negro to his cabin. The man in charge of the dogs took the stand to tell about their performance. The negro was well on the way to conviction under the usual procedure. But providence or some other good agency had furnished the colored man with a lawyer who knew his way about. This lawyer invited the court's attention to the rule requiring that a witness offering expert testimony must qualify as an expert. The dogs, he informed the court, who were about to witness through their caretaker, had not offered testimony to show they were of a breed that produced trailers of men or that they had ever been trained for such service. The court—Peter W. Meldrim—was with the attorney and the dog testimony was ruled out. The dogs failing, the negro was acquitted. Keep Peter W. Meldrim on the list.

WILMINGTON, N. C.
NEWS DISPATCH
MAR 21 1930

AN IMPRESSIVE DEMONSTRATION

In any capital trial, where the element of racial differences enter, the entire machinery of criminal procedure must be carefully attuned in order that the fair name of justice be kept unsullied. This is particularly true in cases where the accused are Negroes, hence *The News* has watched with interest and approval the meticulous course pursued in the trial of the pair yesterday convicted of a holdup murder and sentenced to death.

The setting was such that might easily have led to the perversion of the trial into something closely akin to a travesty. As a matter of fact, however, no criminal ever faced a North Carolina court under fairer and more impartial auspices than these Negroes. The jury which passed upon their fate was composed of men far above the ordinary intelligence, and who were quite capable of forgetting for the moment the racial differences between killed and accused.

Nor did it rush from its deliberations hastily. It remained behind locked doors for hours, weighing the evidence, and on two occasions returned to the court for the purpose of hearing again certain parts of the evidence. When finally it returned its verdict finding both men guilty as indicted, there could be no question that the defendants had been not given every consideration that man can require in a capital trial.

The law of course can be no respector of persons. Poor and rich, White and Black. All must stand on a basis of genuine equality when they face the bar of justice. As a clear and emphatic demonstration of this theory in actual practice, *The News* desires to commend the handling of this case by court, officers, attorneys and particularly the jury.

WILMINGTON, N. C.
STAR
MAR 20 1930

NO PLACE IN THE SCHEME

An alleged admission of guilt made by an accused Negro to a policeman has been stricken from the records of a current murder trial in the New Hanover superior court. It implies no criticism or impugnment of the officer concerned to hold that this ruling is sound and entirely in keeping with the accepted theory of justice in American courts.

Under the law, a defendant is presumed innocent until proved guilty by such evidence as will remove any reasonable doubt, and the burden of producing such evidence rests entirely upon the prosecution. Where alleged confessions, made in the ordinary routine of police questioning, and not under oath, are admitted as evidence, the situation is entirely changed. The defendant is robbed of his right to be proved guilty before he can be convicted, and to all intents and purposes is forced to prove himself innocent. Such confessions have no place in our court procedure.

HOBOKEN, N. J.
OBSERVER
APR 21 1930

NEGROES NOT IN CRIME WAVE.

The prevailing crime wave seems to have had little or no effect upon the negroes of the South, according to the Commission on Interracial Cooperation. Instead of an increase of crime among this large group, which comprises 27 per cent. of the South's population, there has been very little increase, if any, while in certain States and communities there has been a surprising recession.

This is a credit to the colored folk, who form so large a part of our population. This trend toward better negro citizenship is all the more encouraging when we consider that the country is overrun with bootleggers, hijackers and gunmen, by-products of prohibition. The almost complete absence of colored folk from the ranks of these undesirables is of more than passing interest.

Durham, N. C. Sun
Tuesday, May 6, 1930

WHITES LEAD IN APRIL ARRESTS

White Law Violators Lead Colored by Six in Number of Arrests by Police

White people stepped ahead of the Negroes in violating the laws last month. Statistics compiled in the office of the police chief for April show that 29 more white men were arrested than Negro men. The Negro women violators pulled the average for their race down, however for they led the white women in the number of arrests by a margin of 23.

April was a busy period for the police, despite the handicap of a shortage of men. During the month 440 people were arrested of which number 223 were white and 217 were colored. White men arrested numbered 203 against 174 colored men, while 43 colored women were placed under arrest as compared with 20 white women.

A total of four years and seven months was given by the recorder's court in sentences to some of the offenders and others paid a total of $1,353 in fines. Of the total arrests 393 convictions were secured against 393 defendants for an average of 89.3 percent convictions.

Ninety gallons of liquor were captured by the police during the month in raids staged in various sections of the city.

Members of the detective division had a successful month in tracing and recovering stolen property, as did other members of the department. All property reported stolen during the month was valued at $19,047.65 while the amount recovered was given a valuation of $13,926.60.

Winston-Salem, N. C. Journal
Wednesday, May 28, 1930

Few Negro Suicides

In the past four years only two members of the large negro population of Winston-Salem have committed suicide. The police department is authority for this summary, the occasion for its expression being the suicide of a negro here Sunday. Unfortunately the homicide record of the local negress is not so worthy of commendation.

The reason for so few suicides is probably to be found in the negro's love of life, his rare ability to be happy, no matter what comes, and his marvelous gift for philosophizing. Life looks bright to the negro, no matter how many clouds may be in the sky. He has a supreme faith in life. He has no other intention than to live life out to its fartherest limits. He doesn't allow the cumbersome apparatus of living to get in the way of life itself. He sings at his play and at his work.

A prominent Winston-Salem man, one who has known negroes all his life, and one who sees as much of the dark aspects of their lives as any man in the city, once said that he wouldn't live where there were no negroes. He values their philosophy highly and enjoys nothing more than to hear a negro unfold his soul in his frank, quaint way.

The negro rarely dies by his own hand. But he is entirely too free when it comes to dealing violently with the lives of others. If he could give his individual love of life a more universal application, what a magnificent thing it would be! If the negro race could lift its record for homicides up upon the high record for suicides, what a great day it would be for it! No doubt negro leaders are aware of this present discrepancy. and are doing their utmost to wipe it out. It is a matter to which every serious-minded negro should give his sincere thought.

Crime - 1930 Ohio.

KILLING EACH OTHER!

IN 1929 ONE HUNDRED AND SEVEN PEOPLE MET THEIR DEATHS IN THIS CITY BY VIOLENCE !

OF THAT NUMBER 45 WERE WHITE PERSONS, 62 COLORED ! The Union

1-9-30

A TERRIBLE RECORD FOR ANY COMMUNITY, BUT A DAMNABLE ONE FOR US, SINCE WE REPRESENT PROBABLY ABOUT ONE FIFTEENTH OF THE POPULATION. Cincinnati, Ohio

THE CRIMINALITY OF THE NEGRO HERE IS APPALLING. MURDERING ! KILLING ! STEALING ! WHY ? FOR ONE REASON, THE CRIMINAL CLASS KNOWS THAT THE LAW IS LENIENT, WHEN THE VICTIM IS A NEGRO ! THIS FURNISHES ENCOURAGEMENT IF NOT INCENTIVE.

FOR INSTANCE : A FEW MONTHS AGO, TWO NEGROES HELD UP ANOTHER, WHO RESISTED AND WAS KILLED. LATER, THE KILLER KILLED HIS COMPANION, PRESUMABLY TO KEEP HIM FROM TESTIFYING. NOW THIS DOUBLE MURDERER IS CHARGED ONLY WITH MANSLAUGHTER !

IS IT ANY WONDER THAT BLACK CRIMINALS INCREASE, MULTIPLY, PROSPER ?

WHITE AUTHORITIES ARE CARELESS ABOUT CONSEQUENCES TO NEGROES, SINCE REPUTABLE NEGROES THEMSELVES SHOW SUCH LAMENTABLE APATHY TO PRESENT DEPLORABLE CONDITIONS.

CHURCHES AND OTHER ORGANIZATIONS CAN DO A VERY GREAT DEAL TO CHANGE A CONDITION OF AFFAIRS, THAT RESULTS IN OUR DISGRACE AND OUR DEGRADATION. "AM I MY BROTHERS' KEEPER?" THE WORLD SAYS, YES.

—DABNEY.

Crime - 1930

Pennsylvania

Second Degree Murder Charge Placed Against Militant Negro Worker

Andrew Turner is Member of American Negro Labor Congress

CHESTER, PA.—This city, in the center of Pennsylvania's busy Delaware River section, where blood flowed in the streets during a race riot some years ago, and where Negro workers are brutally exploited in the heavy industries here, is now the scene of another case of harsh injustice against a Negro worker.

His name is Andrew Turner, an active member of the Trade Union Unity League and the American Labor Congress. He is being held for murder in the second degree at Freehold, N. J. for two reasons—because he is a Negro and because of his militancy.

He is under $3,500 bail which his employers, the Hedley Storage Company, refuse to put up. Turner, a truck driver, was arrested after a motorist drove into the rear of his machine some weeks ago. The motorist was kiled.

The International Labor Defense is carrying on nation-wide agitation on behalf of Turner, and has taken over the case. J. Louis Endgahl, National Secretary of the I. L. D., personally visited the district of the accident and will defend Turner to the utmost of the organization's ability.

Crime-1930

South Carolina

CRIME AND RACE

According to a recapitulation of the report of Attorney General John M. Daniel made by the State, Negro defendants in criminal cases in the South Carolina state courts were outnumbered by whites in 1929.

The State says, "The preponderance of white defendants in the courts comes notwithstanding the frequent statement that most of South Carolina's crime is fostered by Negroes. There were 2,127 white defendants compared with 1,942 Negroes, a total of 4,069 people who faced juries in the state last year on criminal indictments."

Perhaps such a bit of news concerning crime may cause us to think that we should rejoice that people are wrong in attributing a penchant for criminal actions to us. The fact is that there is no need for rejoicing if we are thinking people. People who are in the habit of thinking things through know that crime is by no means conditional upon race; and that the ratio of crimes committed by different races of people is variable. There were more white than Negro criminals last year; and likely as not there will be more Negro than white criminals this year.

Whatever the ratio it is the duty of all agencies to do what can in reducing the crime rate to a minimum, and that may only be done when the entire cooperation of the law abiding element of our citizens is had in supressing crime among white and black alike. This may best be done by ceasing to distinguish between a black criminal and a white criminal. Some day we will all realize that "A man's a man for a' that."

COLUMBIA, S. C.
STATE

MAR 23 1930

"Confession" Through Torture

Although extorting "confession" by means of torture is one of the oldest and most savage of practices it is shameful and barbaric as it is, still resorted to by police and other officials. It is the simplest means to obtain evidence, and to the savage minds that subject prisoners to torture, it is the first means suggested by their nature and experience. Even the highly civilized Greeks, who were yet not so far removed from the barbarisms and savageries of their home in Asia, used the torture, "basanos," although they condemned it. The Torquemadas of the Inquisition, and many since, have used torture—and commended it by their example.

An editorial in a recent number of the Harvard Law Review asserts that torture is used as a common practice in the police systems of this country. It is an amazing statement, but it can not be seriously challenged. The old practice, of tearing out the nails with pincers, or horrible mutilations, and burnings, are seldom resorted to, except by savages and bandits; but the police have devised methods of torture that leave no incriminating marks. This is not merely the brutal "third-degree" which one may see frequently shown in pictures on the screen; but the bludgeoning of prisoners with rubber-tubing, or wrapped lead pipe, or other devices that will inflict terrible injury, but leave no accusing scars.

The Harvard Law Review cites cases from 29 states and five federal circuits. And it calls attention to the incredible fact that "with few exceptions none of the cases in which the trial court has excluded the confession, and none of the cases in which the prosecution has refrained from offering confessions because of their obvious inadmissibility, can reach courts of appeal, one is driven to the conclusion that the third-degree is employed as a matter of course in most states, and has become a recognized step in the process that begins with arrest and ends with acquittal or final affirmance."

How different from the more successful handling of crime in England, where not one case, according to the Review, "showing evidence of third-degree methods has been found in the past twenty years."

Among the cases cited by the Review, a Negro in Texas was beaten by the sheriff "until almost unconscious." The warden of an Arkansas penitentiary, to which a prisoner notyet convicted had been sent for safe-keeping, was whipped "over a period of six or eight days, until he 'confessed.'" In New York state a chief of police wore a boxing-glove when interviewing a prisoner alone. In Louisiana "defendants were blindfolded, ropes put around their necks, and severe punishment inflicted for five hours." In Arkansas an electric chair was used to frighten the accused into "confession."

A Texas sheriff, who must have had a glimmering of some sort of crude "psychology," frightened a Negro woman into "confession" by telling her if she didn't confess he would turn her over to the lynching mob. Another Texas device of torture was seating a prisoner with a chain about his neck in front of a charred body, tenderly suggesting to him what might be his fate if he did not "confess."

Many other cases of torture are given. It may be, however, that the case for humanity is here weakened by the apparent selection of instances of torture from Southern prisons and police stations. Is it true, as it is made to appear, that torture of this brutal nature, is chiefly employed by Southern officers of the law? Or is it general? The use of the terrible third-degree is, we believe, rather charged to the "efficient" methods of the police systems of the large cities of the North and West. It is however, probable that it is used in some measure almost everywhere when the police are left to have their own way in getting evidence. And it is more practised against the Negroes and the more defenseless class of the whites. The third-degree and the bludgeon and the lash are not employed in extorting "confessions" from the rich and politically influential.

The courts could stamp out the savage practice, no doubt, by refusing to admit as evidence any "confession" known to have been extorted; and the lawmakers could end it by making the employment of torture in any form or degree a crime.

But it will continue, until an outraged public opinion protests loudly enough for its protest to be recorded in ballots and in courts and legislatures.

The public is now not in the slightest degree interested in the torture of prisoners. It shares the shame of the brutality by a callous or cowardly quiescence.

TIMES
CUMBERLAND, MD.

APR 17 1930

THE SOUTH'S HOMICIDE RATE

The high homicide rates of the Southern States have been attributed mainly to the negro population, but, while agreeing that the said population is a heavily contributing factor in the situation, the Charleston News and Courier notes the showing of the Attorney-General's report that "the cases of murder in proportion to population are larger in the counties of preponderate white population in South Carolina than in the coastal counties and others having great majorities of negroes." This is highly interesting, but it does not follow that such are the conditions in the Southern States in general. It remains reasonable to attribute the South's high rate largely to its illiterate negro population and partly to both its mountain feudists and lowland "poor whites" between whom and the blacks there is mutual dislike.

Another cause of the high rate is indicated when attention is called to the large proportion of failures to convict in murder trials. The News and Courier points out that in Marlboro county, S. C., for example, 34 out of 35 persons brought to trial for violation of the prohibition laws were convicted in 1929, but six of the seven persons tried for murder were acquitted and the seventh was convicted only of manslaughter. This would seem to imply that in the county named the enforcement of the law against liquor is regarded as more important than enforcement of the law against murder! The News and Courier thinks, perhaps not without good reason, that even if the negro cases were eliminated from the record the South would still show disproportionately high homicide rates.

Edgefield, S. C. Advertiser

Homicides in South Carolina

"Last year we had one of the largest crop of homicides that our state has produced. Two hundred and sixty-four of our citizens died at the hands of their fellow citizens. Guns knives, axes—anything that was handy—were used in the executions. This was about 14 to the hundred average for the 14 years preceding was 216, or about 13 to the hundred thousand population."

So says Dr. G. Croft Williams, head of the department of sociology at the University of South Carolina.

"There are about three times as many Negroes killed by their fellows as whites. Though this must be said in defense of the colored folk of this state, their rate of homicides is smaller than that of the race in any other Southern state and much smaller than that of the country as a whole. However, that is of little consolation to the slain ones or their relatives.

"If men should be stood up and touch hands," Doctor Williams says, "the line extending from the capitol to Hampton street, they would form a picture of those slain in South Carolina last year. Or another vivid picture of the extent of this gruesome evil might be imagined if coffins were piled on each other to the height of the State House dome, each coffin to represent a person killed.

"It might be of interest to compare the number of homicides in this state with those of other parts of the nation. Chicago, for instance, is looked upon as a veritable shambles, yet last year. our rate was 14 to the hundred thousand population and Chicago's was 12. New York contributed 7—home of thriling death scenes in the movies.

"We look at other countries as being inhabited by backward and dangerous folk, yet their homicide rates are as follows: Italy, 3.6; Australia, 1.9; New Zeland, 0.9; Quebec, and Ontario, our neighbors, 0.5; Spain, 0.9; Holand, 0.3; and Switzerland, 0.2. Keep in mind ours last

year was 14.

"Recently there has been a newspaper discussion as to whether or not men should legally put to death for murder. In looking over the statistics of excution in this state one is almost persuaded that the courts think they should not. From 1915 through 1927 there were 7 white and 53 Negroes executed at the penitentiary, and the homicides for that period numbered 2,789. One white man was executed for every 101 white homicides, and one Negro for every 38 colored homicides. This may be compared with the practice of the remainder of the country, which has one execution for every 80 homicides.

"A discussion as to the evil of execution therefore arises form humanitarian motives and not form any state. There are no more than 100 extent of death at the hands of the executions in the United States each year, which is almost neglible, and might be combarded with the annual death rate from falling down stairs, which is from 1,500 to 1,700. The life insurance companies might give fairly good rates to prospective murderers.

"The causes of murder are many, but there are several predisposing causes that we might well look at, chief of which is the low estimate our people put on the worth of human life, When they think of it as of less worth than a bootlegger's monopoly or a rail fence or a political advantage, they will continue to slaughter. This attitude,of course, is reflected in the courts, as all public attitudes are. Doctor Brearley, professor at Clemson, recently made a study of homicides in South Carolina. Among his interesting discoveries was that between the years of1920 and 1926, of the cases for murder and manslaughter docketed in the courts of general sessions 51 per cent. resulted in convictions, and that in the same period the trials for offenses other than homicide resulted in 77.3 per cent. convictions.

"Another factor that looms large in the making of man-killers is low mentality. Not that feebleminded or insane folk are headed by nature toward crime, but they are more easily influenced by prevailing opinion than normal people and have not a sufficient self-control. There is perhaps as large a per cent. of mental defectives among the population of the European countries as among ours, but these do not go about to slaughter because the background of the public mind is against it and because the fear of the law is a very present deterring force. Our practice of letting criminals who were acquitted because of mental disorder go free to do their same deeds is absurd. If a man of meager mentality kills someone we should give him our deepest sympathy, then lock him up for life and treat him kindly.

"Then there is that evil trio—liquor, women and money. If those three were eliminated homicide would be extremely rare. A poor man that stays at home of nights and he lived in a fort. Sometimes, it is leaves liquor alone is as safe as if true, a good man that eschews these things gets killed, but it is seldom that such occurs. How to deal with his situation is beyond my power."

—The State

Crime - 1930.

Tennessee

NEGRO WILL DIE FOR ASSAULT

Troops Guard Court At Tennessee Trial

BOLIVAR, Tenn., Jan. 28.—(AP)—It took a jury in circuit court here less than nine minutes today to find Carey Gunn, 21-year-old Negro, guilty of assaulting a white girl, and the judge less than one minute to sentence him to death in the electric chair, March 15. The case went to trial at 10 a. m. Testimony was begun at 3 p. m., and a verdict reached at 5:20 p. m.

National guardsmen, who protected the negro during the trial, left with the prisoner for Memphis soon after sentence was pronounced. Adjutant General Boyd had command of the troops.

The trial was as sensational as it was brief. More than 500 spectators crowded into the little courtroom Each was searched for weapons before being admitted by soldiers.

Counsel for the defense was appointed by the court and asked for mercy for the Negro. The victim, a 15-year-old schoolgirl of Middleton, testified and pointed the Negro out in the courtroom. It was the climax of the trial, and the 100 or more soldiers were prepared for violence.

Gunn attacked the girl late last year. Sheriff A. W. Neely of Hardeman county outwitted two mobs to take him safely to jail in Memphis. There he confessed. Soldiers brought him back here to trial and stood guard over him every minute at request of county officers.

Negro Is Placed In Unlighted Dungeon

KNOXVILLE, TENN., Feb. 3.—(AP)—An unlighted dungeon became the abode late today of Theodore Harris, negro, condemned triple slayer, after county jailers found he had become violent and had destroyed some of the furnishings in the barred but lighted cell in which he has been in solitary confinement. Harris, sentenced to die March 15 for the Jones family slayings, had begged officers to place him in the bullpen, where he could talk to other prisoners.

Negro Said To Have Died From Cold Bath

KNOXVILLE, Feb. 13.—(AP)—The charge that Lee Griffey, young negro workhouse prisoner, died early this month because guards forced him to take a cold bath while ill was made today by Hal Clements, attorney, and was denied by E. D. Jeffries, official in charge of the workhouse.

Griffey's death certificate showed he was 15 years old and died of heart dilation. He had been convicted of drunkenness. Jeffries said he appeared to have been about 22 years old.

MEMPHIS, TENN.
PRESS-SCIMITAR
APR 4 - 1930

NEGROES PLAN WAR ON CRIME

Goal Is to Cut Homicide Rate In Dixie Cities

A crude to reduce the homicide rate in 10 Southern cities that lead the nation in murders will be undertaken at once by negro leaders, according to Dr. Sutton E. Griggs, negro pastor of Tabernacle Baptist Church.

Dr. Griggs was in Hot Springs Friday conferring with John L. Webb, head of several negro fraternal organizations, in regard to the campaign.

"We will start a health and anti-crime crusade in Memphis, Birmingham, Atlanta, Jacksonville, Lexington, Mobile, New Orleans, Covington, Houston and Charleston," he said. "The plan of operation will be to organize committees in each of the 10 cities. They will be composed of ministers, Sunday School workers, social workers, teachers and physicians. The health departments and law enforcement officers in each city will be consulted in carrying on the work."

Dr. Griggs pointed to the high death and homicide rates among negroes to show the importance of the undertaking.

"The homicide rate among colored males between 15 and 35 is 10 times that of white males of the same ages," he said. "The Metropolitan Life Insurance Co. gives the average length of life of the colored male as 37 years, and that of the colored female as 39 years. But white males live an average of 46 years and the white females 52 years."

Crime-1930

Texas.

AUGUSTA, GA.
Herald
MAR 29 1930

THE THIRD DEGREE

(From The Savannah Press)

A TEXAS sheriff secured a confession of crime from a Negro woman by telling her that he would turn her over to a mob if she did not confess, according to a review of the Harvard Law School.

Another way in which a confession was gained from a criminal recently was by a detective in upper New York where a party was given a good beating with boxing gloves in order to secure a confession.

In Chicago and New York City, gangsters are beaten with rubber pipes, which give a great sting and often render the subject unconscious. In some cases they break the skin and the blow is inflicted on the face of the gangster—when he is least suspecting it.

American police are almost unanimous in their belief that they cannot cope with criminals without this type of torture. On the other hand, in Great Britain there has not been a case of third degree punishment in the past 25 years. It appears that America with its third degree has a great many more crimes per capita than has great Britain with all of its lack of the system. No doubt this gives us something to think about.

WILLIAMSPORT, PA.
SUN

APR 19 1930

INVITING MURDER.

When the Texas Bankers' association announced it would pay a reward of $5,000 for each dead bank robber, it was feared that this reward would be an inducement to murder. The fears have been realized. Seven killings have taken place since the reward was offered. In four of them murder is charged. Two men are now awaiting trial charged with having "framed" two Mexicans, planting them at a bank and shooting them down to collect the money from the bankers' association.

Now a white man has confessed that he and several others, including a former policeman, staged what had all the appearance of an attempted bank robbery, employing two intoxicated Negroes as victims. The Negroes were killed. The authorities, more suspicious than the killers had suspected, arrested them as murderers instead of rewarding them. A confession has been obtained. The gallows should be the reward.

It is important to note the character of the victims—in one instance two Mexicans, in the other two Negroes. The conspirators doubtless figured that there would be less risk of careful inquiry if their victime were picked from these classes than if white Americans had been killed. In effect, these killings are a sequence to racial feeling in Texas. Florida has an illustration of the fruits of the same feeling, in the case in which a man is accused of having killed his wife and son and a Negro servant, confident that he could make it appear the Negro had committed two murders and had been shot down by the white man when his crime was discovered. Here, too, the belief that because a Negro was involved no questions would be asked has missed fire.

HOUSTON, TEXAS, SATURDAY, SEPTEMBER 27, 1930

WHERE DOES THE DIFFERENCE LIE?

Two more of the policemen of the city of Houston have been killed in the line of duty. And to the credit of the Chief of Police and his force, the murderers have already been apprehended and confessions obtained from them. The Informer feels that credit is due the force for its speed and precision in the case. It is also noteworthy, in this particular case, that there has been no talk of lynching of the two suspects on the part of the daily papers and, if one is willing to read between the lines, he sees, in some of the "sob" portions of the accounts, what might be described as a plea for leniency, despite the fact that both of the slain officers were among the favorites on the force by reason of their efficiency. Informer 9-27-30

Just before the opening of the National Democratic convention in Houston, there was another situation in which a policeman lost his life. The murderer was a Negro, according to report. He was wounded; and while lying on his bed at the hospital with little chance to recover, he was taken out and lynched. Just what the outcome of the cases against the suspects was has not been definitely determined; but there is much reason to believe that the cases are closed and that nothing more is to be expected. Just what is the difference between the two situations? 9-27-30

One of those commenting upon the most recent happening indicated that there must be something wrong with a member of society who feels that he can "get away with robbery and murder." The writer indicates that for one to be able to do such things with no compunction indicates a softening of the moral fibre of society and a complaisance with wrong which argues ill for the future. But it is significant that he closes his article with the idea that society can stand a few more such situations without going completely to the dogs. Houston, Texas

The Informer feels that in just such ideas lies the crux of the whole situation. Murder is murder whether done by men with white or black skins. Citizens are citizens whether they have white or black skins. The law is set up for the government of the whole people without regard for race or creed. The laws of society are calculated to direct the actions of all without regard for anything other than their membership in society. When a black man breaks the law by robbery and by murder he is no more guilty than any other man who does the same thing. It should be true that society considered the deeds as such and attempted to fit the punishment to the deed in the interest of society. Unfortunately there is proof of the fact that this has not been consistently done. Black men have been penalized for their color as well as for their crimes. Correspondingly, white men who have committed crimes against black men have been applauded for their deeds. It is natural then that there should have grown up within this class of society the idea that wrong doing was determined largely by circumstances other than ideas of morality as they have been pronounced from time to time. That sort of idea explains mob murders. It explains the easy movement of the depraved in society from wrong inflicted on the helpless, usually Negroes, to that inflicted on others. And so particularly in the South, we have the spectacle of the "boomerang;" and ample proof of the fact that unless all men are safe under the law, no man is safe.

The Informer hopes that the law in this latest case will be sure and impartial. It is most happy for Houston that the impulses of those who loved the slain men are being held in check and that the law apparently is to be allowed to take its course. It can only hope that such procedure will become the rule in all cases and that out of serious reflection on the difference in the practice in such cases where men of different races are guilty, there may come conviction of the truth of the statement that unless the law applies impartially to all men, the lives and property of no men are safe.

Portsmouth, Va. Star
Friday, September 12, 1930

NEGRO IS EXECUTED FOR MURDER OF WHITE WOMAN.

HUNTSVILLE, Tex., Sept. 12.—(AP).—Jesse ee Washington, negro, was executed at the tate penitentiary here at 12:13 a. m., today for he murder of a white woman. Luz Arcos, Mexian, sentenced to die in the electric chair early oday, was granted a week's stay by Governor Dan Moody.

N. Y. EVE. WORLD

SEP 12 1930

NEGRO, MOB SOUGHT, IS ELECTROCUTED

HUNTSVILLE, Tex., Sept. 12 (U. P.)—Jesse Lee Washington, Negro, was electrocuted at State Prison here today for the murder of Mrs. Henry Vaughn, a white woman, at Shamrock.

Washington, as he walked to the death chamber, declared he was innocent. He said he had pleaded guilty to escape a mob.

After the murder mob rioting became so serious that all Negroes were forced to flee. Washington escaped lynching when officials took him across the border in Oklahoma.

Fifteen men, including several county officials, have been charged with conspiracy as a result of the rioting.

Luz Arcos, also convicted of murder, who was to have died with Washington, was granted a seven-day reprieve by Gov. Dan Moody.

PRESS
Palestine, Tex.
DEC 21 1920

While Nero Quibbled

It is more and more openly talked that Anderson county has become a good place in which to commit a crime and "get away with it."

Those who would construe this statement as an attempt to advertise local lawflessness are gently reminded that the criminal element already knows about it, as evidenced by recurrent robberies of banks and stores and the commission of countless other unpunished offenses. The "boys" are flocking hitherward.

Perhaps the most alarming phase of the current situation in Anderson county is the spirit of unfriendly rivalry and spite between certain officers who have taken oaths to enforce the laws.

This state of affairs was purportedly climaxed very recently when one officer was notified by his superior that unless he stopped working with another officer he would be fired. This resulted in one officer dropping out of the investigation of a case in which to this date, no arrests have been reported.

That is one of a large number of reported "breaks" between law enforcement officers who, as individuals or working en masse, have failed to make records sufficient to warrant any extraordinary disply of chestiness or show of egotism.

Personalities mean nothing in a campaign against growing lawlessness. It is results only that the people have a right to expect and to demand of their peace officers, and when they fail to get results, then is the time when personalities should be injected — new ones. When an officer pursues or catches a desperate criminal, he is simply fulfilling his oath of office as a guardian of the peace. When a soldier goes into an enemy trench he does not expect the folks back home to build a monument to his daring; but if, on the other hand, he and his comardes fight through to victory, glory will come to that soldier in the knowledge, if nothing more, that he has played a part—perhaps small—in preserving his country and its institutions and in restoring peace to a war-torn world.

So long as men rob Anderson county banks and get away with it, so long as crime is committed without swift, sure arrest in the offing —that long will there be no room in Anderson county for the injection of personalities into the machinery of law enforcement.

Crime - 1930

Virginia.

Negro and White Workers Will Not Let Them Kill Me!

Note:—The following article, written by Stephen Graham, describes his trial in Norfolk, Va., where he was held under a trumped-up Civil War statute, "Inciting the Negroes to rebellion." He had advised Negro and white workers to organize into the Trade Union Unity League and the International Labor Defense which demand absolute racial equality.

Graham, who faced ten years on the chain gang, was acquitted after the jury was out for an hour and a half. He was re-arrested immediately afterward by immigration authorities, who threatened to deport him to Jugo-Slavia, in Europe, now under a Fascist dictatorship. There he will be put to death, because of his militant labor record. Graham said the organized protest of Negro and white workers saved him from prison. "They can save me from being put up against a stone wall in Jugo-Slavia because I am fighting for race equality and unionization of the entire working class, white and black, for better conditions."

N. C. YOUTH, 19, IS SENTENCED TO ELECTRIC CHAIR

Powerful Plea Of Attorneys Fails To Save Him

EXECUTION JULY 25

Jurymen Admit Belief Of Guilt Before Trial Held

WINTON, N. C.—A powerful and pathetic defense plea based largely upon his youth and upon the circumstances that he was so crazed by drink upon the night of his alleged crime that he did not know what he was doing, failed to save Harvey Lawrence, 19-year-old youth, from conviction for first degree burglary and a sentence of death in the electric chair, at the conclusion of his trial here Friday afternoon. July 25 was set as the date for his execution.

The plea of former Senator A. T. Sastelloe, of Aulander, appointed by the court to defend the prisoner, was said to be one of the strongest ever heard in Hertford County. His plea came after argument of attorneys that had taken all Thursday afternoon.

Defendant's Alleged Crime

The defendant was charged with entering the home of F. T. Bailey, white tax collector in Maneys Neck township on the night of March 1 with intent to attack his wife and murder the husband and wife.

In an atmosphere charged with political significance and in the presence of State troops the trial got underway Wednesday morning. Not in years has any trial in this county attracted such widespread interest and so large a crowd of spectators. Dissatisfaction had been evidenced over the presence of troops, and this being a campaign year, it had begun to figure in local politics. At the noon recess Wednesday, Attorney Walter R. Johnson, one of the four candidates for the General Assembly from Hertford County, made an old time speech on tax reduction and economy.

A special venire of 300 men was summoned during the Wednesday morning recess. The twelfth juror was chosen at 5:40 o'clock the same afternoon, and all formalities preceding the actual taking of testimony were completed.

Jurors Admit Previous Opinions

Practically every member of the jury admitted having formed an opinion in the case, but said they could give the prisoner a fair trial notwithstanding their previous knowledge, and were accepted in the interest of time and upon their statements. Jurors who sat in the case were all farmers. One hundred and ninety men were examined and out of that number only seven had not already formed opinions that the defendant was guilty as charged.

The courthouse was crowded from the beginning to the end of the trial. Several times Judge Garland W. Midyette, presiding, stopped proceedings to have the crowd removed from the aisles.

Defense Plea

Defense attorneys made pleas for conviction on a lesser charge, depending entirely upon the argument that the defendant was so crazed with drink on the night in question that he did not know what he was doing. Judge Midyette charged the jury for an hour and 15 minutes, giving what attorneys for both sides termed a fair, impartial and scholarly charge. The verdict was reached at 4:45 o'clock after the jury had been out 20 minutes. Only one ballot was required for conviction.

At the conclusion of the trial and before adjournment, Judge Midyette paid high compliment to the attorneys appointed by the court and also the State's attorneys for the manner in which they had conducted the trial. He also complimented the citizenship of Hertford County for the restraint they had shown during the trial, and called attention to the power of the law to handle all situations. He took upon himself the responsibility for the presence of soldiers during the trial, and informed the crowd that Hertford County would not bear the costs incident to their stay here.

Alleged Race Prejudice Causes Removal Of Trial Of White Men From Southampton Co. To The Courts of Norfolk City

Because R. E. L. Watkins, Commonwealth's Attorney of Southampton County, has openly expressed the opinion that E. F. Drake, a justice of the peace of Sunbeam; V. K. Daughtrey, another justice of the peace; David Newsoms, Joe F. Carter, Linwood Cutchins, William Carter, Charlie Mack, Dallas Mack, Robert Barnes, Henry Barnes, John Carter and Luther Edwards, all white men of Sunbeam, who are charged with shooting and desperately wounding Lonnie Council, colored, on April 20, 1929, had committed no crime, both the $50,000 damage suit and the criminal case growing out of the shooting have been transferred to the Court of Law and Chancery of the City of Norfolk for trial.

Council himself is not now alive. Since the alleged shooting by the white men in which he was so badly wounded that he lost an arm, he has become a victim of a second shooting by a colored man in which he was killed. The proceedings begun at the first shooting have been continued, however, by administrators of his estate, which ask $50,000 damages seek criminal prosecution.

Say No Crime Committed

The transfer to the Norfolk courts was made on motion of H. L. Holland and J. M. Lovelace, of the law firm of Holland and Lovelace of Suffolk, and C. B. Godwin, of the same city. Holland and Lovelace represented the Council estate and Mr. Godwin was appointed special prosecutor by the court after the charge had been made that the Commonwealth's Attorney had expressed an opinion that the defendants had committed no crime.

The case attracted more interest and attention in Southampton and adjoining counties than anything that has occurred there in years. According to the motion for judgment in the $50,000 damage suit, Council was driving along a road with a Negro girl when he was fired upon and seriously wounded. David Newsoms was alleged to have done the actual shooting and he has been tried on this charge and acquitted by a jury in the Southampton Court. Attorneys in the case, representing the prosecution and Council's relatives, moved the court to transfer the other cases here for trial on the grounds that fair and impartial trials could not be obtained in Southampton County because of the prominence of the defendants, racial prejudice and the alleged statement made by the Commonwealth's attorney.

It is charged in the motion for judgment in the civil action that the defendants on the night of April 20, 1929, had gone to a Southampton home to arrest a white man on an unlawful warrant. It is further charged that the defendants had expected to investigate alleged improper relations between the man and a woman.

The bill further charges that the defendants made a mistake and shot Council whom they mistook for the man sought.

In a long drawn out proceedings the case has been stubbornly fought on both sides. Council's friends and administrators claimed that the county prosecutor had openly stated that in his opinion the men had committed no crime and demanded a special prosecutor. Attorney C. B. Godwin, of Suffolk, was then appointed by Judge McLemore to handle the prosecution of the defendants on the criminal charge. David Newsoms, who it is claimed did the actual shooting was brought to trial, but a Southampton County jury acquitted him. Motion was then made for change of venue. The law firm of Saunders and Hutton of Suffolk represents the defendants and they fought the removal to Norfolk. They denied that race prejudice would prevent a fair trial and asked that the cases be allowed to be tried in Southampton County, where, they claimed, justice could be done both the prosecution and the defense and the plaintiff and the defendant in the civil suits.

The cases will be tried in Corporation Court No. 1 of this city.

MAN ACCUSED OF STRANGE CRIME IN VIRGINIA

Negro Accused of Shooting Father and Two Daughters (white) Under Circumstances That Call for Rigid Investigation.

Neither Rape Nor Criminal Assault Charged

Warrington, Va., July 1.—Alleged to have shot an aged farmer and his two daughters, then to have poured gasoline over their bodies and attempted to burn them, Elwood Payne, Negro, 27, is held in jail here charged with an attempted triple murder.

The farmer, Allie Corbin, 66, is in

a critical condition with a rifle ball through his head. His two daughters, Misses Estelle Corbin, 25, and Isabel Corbin, 33, were seriously hurt, the former being shot through the neck, withe a bullet struck the other on the side of the head. All three were painfully burned, and confined to the hosptal here.

Women Tell Of Shooting

The story told by the young women caused the arrest of Payne. According to them, the crime occured early yesterday on a road near Rectortoyn.

Corbin, it seems, had been out during the night, in his car driven by Payne. Payne is alleged to have shot him through the head, and then drove to Corbin's home, where he told the daughters that their father was ill and tey must come and take him to hospital.

Negro Drove Them To Field

After getting them into the car with their unconscious father, Payne is said to have driven them some distance, turning into a field. There he is said to have shot both the young women, poured gasoline over them and set the car on fire.

Payne, the young women said, then fled. One of the women was able to get out and made her way to a house, where she told what had happened.

Her sister recovered sufficiently to drag herself and her father from the cae, yhich was destroyed.

The girls were able to give information on which Payne was captured soon afterward. He denied the charges.

Sheriff W. S. Woolf is investigating the case, assisted by Officers Hall and Stafford. C. W. Carter, prosecuting attorney, is awaiting the outcome of Corbin's injuries before bringing the case up for a hearing

LIFE SENTENCE IS REDUCED

New York, July 18—Thomas Nelson, of Charlottesville, Virginia charged with murder of a white man and woman in August, 1927, was a second time found guilty on July 13 and sentenced to twenty-five years in prison. Previously, Nelson, who is a colored man, had been found guilty and sentenced to life impris-

onment. The previous conviction had been appealed by attorneys retained by the National Association for the Advancement of Colored People and the Virginia State Supreme Court has reversed the frist conviction on the ground that the evidence against Nelson had not justified the verdict of guilty.

Allen, a white man, was found dead with five bullet-holes in his chest in August, 1927 and his business partner, a seventy-five year old woman, was found mortally wounded at her home on the same night. The woman died before regaining consciousness.

A number of Negroes were arrested, charged with the crime, and three of them indicted. Grand Thompson and his wife, Mrs. Alice Thompson, were never tried, the case being nolle-prossed in October, 1928. Nelson thereupon was tried and found guilty. Because of Nelson's high chaacte and especially because of evidence which cast grave doubt upon his guilt the N. A. A. C. P. assisted Nelson both in getting reversal by the State Supreme Court and in the new trial, thus gained, assistance being rendered by the N. A. A. C. P. both in contributions to the fees of local attorneys and through the aid of its National Legal Committee.

In making public the results of the new trial the N. A. A. C.. P expresed the determination to continue its efforts in Nelson's behalf To date the Advancement Association has contributed $800 towards attorneys fees and costs of the trials.